



# REGULATIONS

**SUBJECT: Privacy of Information**

The Lambton Kent District School Board collects personal information to support the provision of educational services to its students and/or the employment of school board employees. The Board operates under the authority of the *Education Act* and its associated regulations.

The management of personal information collected by the Board for these purposes is in accordance with the provisions of the *Education Act*, *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), and the *Personal Health Information Protection Act* (PHIPA).

All general information in the custody or control of the Lambton Kent District School Board that is not confidential in accordance with *the Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and other relevant legislation is publicly accessible.

The Lambton Kent District School Board is committed to the protection of personal information under its control and to the individuals' right of privacy regarding personal information that is collected, used, disclosed, and retained in the school system. To this end, this Standard of privacy commitments is based on globally recognized fair information principles and is grounded in Ontario privacy legislation.

## 1. Accountability and Responsibility

Under the *Municipal Freedom of Information and Protection of Privacy Act*, the Lambton Kent District School Board is responsible for personal information under its control. The Director of Education and/or designate is accountable for compliance with privacy legislation.

Under the *Personal Health Information Protection Act*, health information custodians are responsible for personal health information and may designate an individual within their school board as an agent to assist with compliance with privacy legislation.

## 2. Specified Purposes

The purposes for which personal information is collected are specified, and individuals are notified of the purposes at or before the time personal information is collected.

## 3. Consent

Personal information is collected for the provision of educational services to students and/or the employment of school board employees in accordance with pertinent legislation. The knowledge and, in some cases, the consent of an individual is required for the collection, use and disclosure of personal information, except where otherwise permitted by law.

## 4. Limiting Collection

The Board shall limit the collection of personal information to that which is necessary for its specified purposes in accordance with its statutory duties and responsibilities.

**5. Limiting Use, Retention, and Disclosure**

The Board shall not use, retain or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as authorized or required by legislation. The Board shall retain personal information in accordance with its Records Retention Schedule.

All employees and trustees of the Lambton Kent District School Board will complete the online Annual Privacy and Information Management Declaration. Failure to comply with the terms of the Declaration and the Board's Privacy Policy and Regulations and relevant legislation may result in administrative and/or disciplinary action up to and including termination of employment.

**6. Accuracy**

The Board shall make every effort to ensure that personal information is accurate, complete, and up-to-date in order to fulfill the specified purposes for its collection, use, disclosure, and retention.

**7. Security Safeguards**

The Board shall make every effort to ensure that personal information is secured and protected from unauthorized access, disclosure, and inadvertent destruction by adhering to safeguards appropriate to the sensitivity of the information.

**8. Openness and Transparency**

Policies and practices relating to the management of personal information are made readily available to the public.

**9. Access and Correction**

Upon request, the Board shall allow an individual access to their personal information and will be given access to that information in accordance with privacy legislation, subject to any restrictions. An individual has the right to challenge the accuracy and completeness of the information and request that it be amended, as appropriate, or to have a letter/statement of disagreement retained on file. Any individual to whom the disclosure has been granted in the year preceding a correction has the right to be notified of the correction/statement. An individual is to be advised of any third party service provider requests for their personal information in accordance with privacy legislation.

**10. Compliance**

An individual shall have the ability to address or challenge compliance with the above principles to the Director of Education or designate.

Implementation Date: November 13, 2012

Revised: October 10, 2017

Reference: LKDSB Policy, LKDSB Privacy and Access to Information Guidelines  
Education Act  
Municipal Freedom of Information and Protection of Privacy Act  
Personal Health Information Protection Act