

# COLUMBIA COLLEGE PERSONAL INFORMATION AND PROTECTION OF PRIVACY POLICIES & REGULATIONS

**NOTE:**

**Must; Shall; Will:**

**Should:**

**May or Could; Can:**

**Clarification of Terms**

These words or phrases indicate actions or activities that are *essential* or *mandatory*.

This word implies that it is highly desirable to perform certain actions or activities, but not essential or mandatory.

These words imply freedom or liberty to follow an alternative to the action or activity being presented in a document.

## INTRODUCTION

This document outlines the policies and regulations for managing personal information collected, used, and distributed by Columbia College. It applies to all stakeholders, including students, employees, supporters, contractors, and business customers. The policy ensures transparency, accountability, and the protection of personal information, with specific provisions for safeguarding student records across all departments of the College. This policy is designed to align with provincial and federal privacy legislation and guidelines.

## POLICY

### ***Accountability for Personal Information***

Columbia College ensures the management and safeguarding of all personal information under its control. The President oversees compliance, supported by the Corporate Privacy Officer and designated staff. The Registrar's Office manages student data. Columbia College also implements procedures to:

- Safeguard information shared with third parties through contractual protections.
- Protect personal information.
- Address complaints and inquiries.
- Train staff on privacy policies.
- Provide clear explanations of privacy practices.

### ***Identifying Purposes for the Collection of Personal Information***

Columbia College clearly identifies the purposes for the collection of personal information before or at the time the information is collected. For student information, these purposes include:

- Supporting academic programs.
- Managing enrollment and student records.
- Meeting legal, regulatory, and administrative obligations. For employees and other stakeholders, purposes may include employment administration, regulatory compliance, and operational needs.

## ***Consent for the Collection, Use, and Disclosure of Personal Information***

The knowledge and consent of the individual are required for the collection, use or disclosure of personal information, except where inappropriate.

### **Note:**

In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical, or security reasons may make it impossible or impractical to seek consent. When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual might defeat the purpose of collecting the information. Seeking consent may be impossible or inappropriate when the individual is a minor, seriously ill, or mentally incapacitated. In addition, if Columbia College does not have a direct relationship with the individual, it may not be able to seek consent.

- Consent is required for the collection of personal information and the subsequent use or disclosure of this information. Typically, Columbia College will seek consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use (for example, when Columbia College wants to use information for a purpose not previously determined or identified).
- Columbia College will make a reasonable effort to ensure that the individual is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes must be stated in such a manner that the individual can reasonably understand how the information will be used or disclosed.
- Columbia College will not, as a condition of the supply of a product or service, require an individual to consent to the collection, use or disclosure of information beyond that required to fulfill the explicitly specified and legitimate purposes.
- The form of the consent sought by Columbia College may vary, depending upon the circumstances and the type of information. In determining the form of consent to use, Columbia College will take into account the sensitivity of the information.
- In obtaining consent, the reasonable expectations of the individual will also be considered.
- The way in which Columbia College seeks consent may vary, depending on the circumstances and the type of information collected. Columbia College will generally seek express consent when the information is likely to be considered sensitive (e.g. genetic testing). Implied consent would generally be appropriate when the information is less sensitive. An authorized representative (such as a legal guardian or a person having power of attorney) can also give consent.
- Individuals can give consent in many ways. For example:
  - a) An admission form may be used to seek consent, collect information, and inform the individual of the use that will be made of the information. By completing and signing the form, the individual is giving consent to the collection and the specified uses;

- A check-off box may be used to allow individuals to request that their names and addresses not be given to other organizations. Individuals who do not check the box are assumed to consent to the transfer of this information to third parties;
  - Consent may be given orally when information is collected over the telephone, or
  - Consent may be given at the time that individuals use a service offered by Columbia College.
- An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Columbia College will inform the individual of the implications of such withdrawal.

### ***Limiting Collection of Personal Information***

The collection of personal information will be limited to that which is necessary for the purposes identified by Columbia College. Information will be collected by fair and lawful means.

- Columbia College will not collect personal information indiscriminately. Both the amount and the type of information collected will be limited to that which is necessary to fulfill the purposes identified.
- The requirement that personal information be collected by fair and lawful means is intended to prevent Columbia College from collecting information by misleading or deceiving individuals about the purpose for which information is being collected. This requirement implies that consent with respect to collection must not be obtained through deception.

### ***Limiting Use, Disclosure and Retention of Personal Information***

Personal information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information will be retained only as long as necessary for the fulfillment of those purposes.

- If using personal information for a new purpose, Columbia College will document this purpose.
- Columbia College will develop guidelines and implement procedures with respect to the retention of personal information. These guidelines will include minimum and maximum retention periods. Personal information that has been used to make a decision about an individual will be retained long enough to allow the individual access to the information after the decision has been made. Columbia College is subject to legislative requirements with respect to retention periods.
- Personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous. Columbia College will develop guidelines and implement procedures to govern the destruction of personal information.

## ***Ensuring Accuracy of Personal Information***

Personal information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

- The extent to which personal information will be accurate, complete, and up-to-date will depend upon the use of the information, taking into account the interests of the individual. Information will be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about the individual.
- Columbia College will not routinely update personal information, unless such a process is necessary to fulfill the purposes for which the information was collected.
- Personal information that is used on an ongoing basis, including information that is disclosed to third parties, will generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

## ***Handling and Safeguarding Student Information in Other Departments***

1. Departmental Responsibilities: Each department that collects, processes, or retains student information must:
  - Document the types of information held and their purpose.
  - Implement safeguards to prevent unauthorized access, use, or disclosure.
2. Access Control:
  - Access to student information is granted based on job roles and requires authorization.
  - Systems managing student data will have multi-factor authentication where applicable.
3. Retention and Disposal:
  - Retention periods for student information must comply with legal requirements and operational needs.
  - Departments must ensure secure destruction of information no longer required.
4. Transparency and Reporting:
  - Departments must maintain transparency regarding the student information they hold and report annually on safeguarding practices to the Registrar's Office.
  - Columbia College will make its employees aware of the importance of maintaining the confidentiality of personal information. As a condition of employment, all new employees/agents (e.g. employee, consultant, vendor, or contractor) must sign the Columbia College Confidentiality Agreement.
  - Care will be used in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information.

## ***Openness About Personal Information Policies and Practices***

Columbia College will provide accessible and understandable information about its privacy policies and practices. This includes:

- Categories of personal information retained.
- Procedures for accessing and correcting records.
- Safeguards implemented to protect information.

## ***Individual Access to Your Own Personal Information***

Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information and will be given access to that information. An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

### **Note:**

In certain situations, Columbia College may not be able to provide access to all the personal information it holds about an individual. Exceptions to the access requirement will be limited and specific. The reasons for denying access will be provided to the individual upon request. Exceptions may include information that is prohibitively costly to provide, information that contains references to other individuals, information that cannot be disclosed for legal, security, or commercial proprietary reasons, and information that is subject to solicitor-client or litigation privilege.

- Upon request, Columbia College will inform an individual whether or not it holds personal information about the individual. Columbia College will seek to indicate the source of this information and will allow the individual access to this information. In addition, Columbia College will provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed.
- An individual will be required to provide sufficient information to permit Columbia College to provide an account of the existence, use, and disclosure of personal information. The information provided will only be used for this purpose.
- In providing an account of third parties to which it has disclosed personal information about an individual, Columbia College will attempt to be as specific as possible. When it is not possible to provide a list of the organizations to which it has actually disclosed information about an individual, Columbia College will provide a list of the organizations to which it may have disclosed information about the individual.
- Columbia College will respond to an individual's request within a reasonable time and at reasonable or no cost to the individual. The requested information will be provided or made available in a form that is generally understandable. For example, if Columbia College uses abbreviations or codes to record information, an explanation will be provided.
- When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, Columbia College will amend the information as required.

Depending upon the nature of the information challenged, amendment involves the correction, deletion, or addition of information. Where appropriate, the amended information will be transmitted to third parties having access to the information in question.

- When a challenge is not resolved to the satisfaction of the individual, Columbia College will record the substance of the unresolved challenge. When appropriate, the existence of the unresolved challenge will be transmitted to third parties having access to the information in question.

### ***Challenging Compliance with Columbia College's Privacy Policies and Practices***

Individuals may address concerns about compliance with this policy to the Corporate Privacy Officer or the Registrar's Office. Complaints will be investigated promptly, and corrective actions taken as necessary to uphold the College's commitment to privacy.