

# PRIVACY IMPACT ASSESSMENT

## I BASIC INFORMATION - New or Existing Program, System or Legislation

### 1. Ministry/Public Body and Program Area.

Ministry	The Justice Institute of British Columbia
Division	Registration and Student Services
Branch/Section	Finance and Administration
Initiative Title	Canadian Anti Spam Legislation administration

### 2. Contact Position and/or Name, Telephone Number and E-Mail Address.

(This should be the name of the individual most qualified to respond to questions regarding the PIA).

Name, Title	Mary DeMarinis, Director Student Affairs & Registrar
Branch/Section	Finance and Administration
Phone Number	604.528.5787
E-Mail	<a href="mailto:mdemarinis@jibc.ca">mdemarinis@jibc.ca</a>

### 3. Description of the Program/System/Legislation (Initiative) being assessed.

(Please note here if the initiative does **not** collect, use or disclose personal information). If this is a change to an existing legislation, system or program, describe the current system or program and the proposed changes.

In order to comply with the Canada's Anti-Spam Legislation (CASL) S.C. 2010, c. 23, (<http://www.crtc.gc.ca/eng/casl-lcap.htm>) to be enacted in July, 2014, The Justice Institute of British Columbia will be engaging a vendor called Industry Mailout (<https://industrymailout.com>) from Edmonton, Alberta, to administer consent, identification and unsubscribe mechanisms required by the new federal legislation.

This is an initiative that cannot be done internally at the JIBC due to a lack of timing, expertise and resources. Industry Mailout will be used to track expressed and/or implied consent via vendor CASL toolkits for: 'Preparing Mailouts', "Acquiring Consent", and "Importing Subscribers", as they relate to Commercial Electronic Messages (CEM)

The initiative will collect subscriptions, manage distribution and un-subscriptions to CEMs that are consistent with the original intended purposes "associated with [The Justice Institute of British Columbia's] operating programs and activities". The JIBC will disclose distribution lists of students to Industry Mailout which may include first name, last name and e-mail addresses of students who are currently or who have in the past participated in the JIBC's programs and activities, in order to manage CEMs

		*Yes	No
(a)	Does this PIA involve a common or integrated program/activity (as defined in the FOIPP Act)?		✓
	and		
	Is the common or integrated program/activity confirmed by the written requirements set out in the regulation?		✓
(b)	Does this PIA involve a data-linking initiative (as defined in the FOIPP Act)?		↓

**If yes, please ensure you have notified the Office of the Information and Privacy Commissioner at an early stage of development of the initiative pursuant to section 69 (5.5) of the FOIPP Act.**

**4. Purpose/Objectives of the initiative (if statutory, provide citation).**

To comply with the Canadian Anti-Spam legislation that will regulate the use of Commercial Electronic Messages - S.C. 2010, c. 23

**5. What are the potential impacts of this proposal? (Include privacy impacts in this description).**

The potential impacts of this proposal can be described as: Disclosing information to a Canadian third party software vendor under contract, acting on behalf the Justice Institute of British Columbia in compliance with a provincial Privacy Protection Schedule to administer CEMs.

**6. Provide details of any previous PIA or other form of personal information assessment done on this initiative (in whole or in part).**

No other PIAs have been performed with respect to this initiative at our institution. The JIBC consulted initially with the Privacy Helpline on 2014.04.30 regarding completing a PIA for this initiative

Sections for use and disclosure have been filled out in this PIA. Other sections marked as not applicable (n/a)

**IF THERE IS NO PERSONAL INFORMATION INVOLVED, GO TO X. SIGNATURES.**

**\*\*IMPORTANT NOTE:** The FOIPP Act defines personal information as "recorded information about an identifiable individual other than contact information." Contact information includes the name, title, telephone or facsimile number, email address etc., which enables an individual at a place of business to be contacted.

## **II DESCRIPTIVE INFORMATION**

**1. Describe the elements of personal information that will be collected, used and/or disclosed and the nature and sensitivity of the personal information. [See note above about the definition of personal information.]**

*For example: Name, home address, gender, age/birthdate, SIN, Employee#, race/national, ethnic origin.*

The information used and disclosed to Industry Mailout will include first name, last name and e-mail addresses of students who have or who have had a relationship with the JIBC. This information may be grouped together in a logical distribution list such as a JIBC program area, school or division, to target specific groupings of students via electronic mail messages.

**2. Provide a description (either a narrative or flow chart) of the linkages and flows of personal information collected, used and/or disclosed.**

Student Information that has been collected via applications, enrolment and registrations and stored within the JIBC's Student Information System at the JIBC is selected and compiled for an e-mail campaign.

List includes first name, last name and e-mail address with implied consent

List is loaded on Industry Mailout software by JIBC employees

Employees launch e-mail distribution via Industry Mailout

Students subscribe or unsubscribe to receive CEMS

Industry Mailout Software tracks subscriptions, un-subscriptions, campaign details

Employees of the JIBC update the Student Information System with un-subscriptions.

**III PERSONAL INFORMATION COLLECTION**  
(Section 26 and section 27 of the *Freedom of Information and Protection of Privacy Act* "FOIPP Act")

**\*\*IMPORTANT NOTE:** Recent amendments to the FOIPP Act have clarified when personal information has *not* been collected by a public body. See section 27.1 or contact the Legislation, Privacy and Policy Branch for further details.

	Yes	No	n/a
Is personal information being collected?		✓	

**IF THERE IS NO PERSONAL INFORMATION BEING COLLECTED, GO TO IV. USE OF PERSONAL INFORMATION**

**1) Authorization for Collection:**

A public body may collect personal information as authorized by one of the following provisions:

s. 26		Yes	No	n/a
(a)	Is the collection of personal information specifically authorized by, or under, an Act, other than the FOIPP Act?			✓
	<b>If yes, please specify the name of the Act and relevant section</b>			
(b)	Is the personal information being collected for law enforcement purposes?			✓
(c)	Is the personal information directly related to, and necessary for, a program or activity of the public body?			✓
(d)	Is the personal information being collected for a prescribed purpose (where there is a regulation defining that purpose)?			✓
	<b>If yes, please specify the prescribed purpose.</b>			
	(i) Has the individual whose personal information is being collected consented, in the prescribed manner, to that collection? <b>and</b>			✓
	(ii) Would a reasonable person consider that collection appropriate in the circumstances?			
(e)	Is the collection of personal information necessary for the purposes of planning or evaluating a program or activity of a public body?			✓
(f)	Is the collection of personal information necessary for the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?			✓

s. 26		Yes	No	n/a
(g)	Is the personal information being collected by observation at a presentation, ceremony, performance, sports meet, or similar event where the individual voluntarily appears and that is open to the public?  <b>Please identify event:</b>			
(h)	Is personal identity information being collected by:			
	A designated provincial identity information services provider and the collection of the information is necessary to enable it to provide services under section 69.2,  or			✓
	A public body from a designated provincial identity information services provider and the collection of the information is necessary to enable the public body to identify an individual for the purposes of providing a service to the individual or the provincial identity information services provider to provide services under section 69.2.			✓

If none of the above questions has been answered "yes", your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact the Legislation, Privacy and Policy Branch.

## 2) How will the personal information be collected?

A public body must collect personal information directly from the individual the information is about, with certain specific exceptions.

	Yes	No	n/a
Will the personal information be collected <u>directly</u> from the individual that the information is about?			✓

**IF YOU ARE ONLY COLLECTING PERSONAL INFORMATION DIRECTLY AS NOTED ABOVE, YOU WILL NOT NEED TO COMPLETE THE NEXT SECTION ON INDIRECT COLLECTION. GO TO 3. NOTIFICATION TO COLLECT INFORMATION.**

If the personal information has **not been collected directly** from the individual it is about, check which of the following authorizes the indirect collection:

s. 27(1)		Yes	No	n/a
(a)(i)	Did the individual the information is about authorize another method of collection?			✓
(a)(ii)	Has indirect collection been authorized by the Information and Privacy Commissioner?			✓
(a)(iii)	Has indirect collection been authorized by another enactment?			✓
	<b>If yes, please specify the name of the Act and relevant section(s)</b>			
(a.1)(i)	Is the personal information necessary for the medical treatment of an individual and it is not possible to collect the information directly from that individual?			✓
(a.1)(ii)	Is the personal information necessary for the medical treatment of an individual and it is not possible to obtain authority under (iv) for another method of collection?			✓

s. 27(1)		Yes	No	n/a
(b)	Is the public body collecting personal information disclosed to it by another public body under an authority within sections 33 to 36 of the FOIPP Act?			✓
<b>Specify relevant section(s) or subsections that apply.</b>				
(c)(i)	Is the personal information being collected for the purpose of determining suitability for an honour or award including an honorary degree, scholarship, prize or bursary?			✓
(c)(ii)	Is the personal information being collected for the purpose of a proceeding before a court or a judicial or quasi-judicial tribunal?			✓
(c)(iii)	Is the personal information being collected for the purpose of collecting a debt or fine or making a payment?			✓
(c)(iv)	Is the personal information being collected for the purpose of law enforcement?			✓
(c)(v)	Is the personal information being collected to reduce the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?			✓
(d)	Is the personal information being transferred to the public body from another public body in accordance with section 27.1?			✓
(e)	Is the personal information being collected necessary for delivering a common or integrated program or activity?			✓
(f)	Is the personal information about an employee, other than a service provider, and the collection of the information is necessary for the purposes of managing or terminating an employment relationship between a public body and the employee?			✓
(g)	Is the information personal identity information that is collected by the designated provincial identity information service that is necessary to provide services under section 69.2?			✓
	<b>Additional details as required (e.g., explanation of method of collection)</b>			

***If none of the above authorities have been checked, your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact the Legislation, Privacy and Policy Branch.***

### 3) Notification to collect information

A public body must ensure that an individual from whom it collects personal information is notified of the collection as outlined below.

s. 27(2)		Yes	No	n/a
	Has the individual from whom personal information is being collected, been informed of:			
	(a) the purpose for collection?			✓

s. 27(2)		Yes	No	n/a
	(b) the legal authority for collection?			✓
	(c) the contact information of the person who can answer questions regarding the collection?			✓
	<b>Additional details as required (e.g., method of notification)</b>			

**Notification is not required if the answer is “yes” to any of the following:**

s. 27(3)		Yes	No	n/a
(a)	Is the personal information about law enforcement or anything referred to in section 15(1) or section 15(2) of the FOIPP Act?			✓
(b)	Has the Minister responsible for the FOIPP Act excused your public body from complying because it would			
	(a) result in the collection of inaccurate information?			✓
	<b>or</b>			
	(b) defeat the purpose or prejudice the use for which the personal information is collected?			✓
(c)	The information			
	(a) is not required, under subsection 27(1), to be collected directly from the individual the information is about, <b>and</b>			✓
	(b) is not collected directly from the individual the information is about			
(d)	Is the information collected by observation at a presentation, ceremony, performance, sports meet or similar event at which the individual voluntarily appears and that is open to the public.			✓
	<b>Please identify event:</b>			
27 (4)	Is it reasonable to expect that notifying an employee of collection under subsection 27 (1) (f) would compromise			
	(a) the availability or accuracy of the information, or			✓
	(b) an investigation or a proceeding related to the employment of the employee?			
	<b>Additional details as required</b>			

***If you have not provided the required notification as outlined above, please contact the Legislation, Privacy and Policy Branch.***

**IV USE OF PERSONAL INFORMATION - (Section 32 of the FOIPP Act)**

	Yes	No	n/a
Is personal information being used?	✓		

**IF THERE IS NO PERSONAL INFORMATION BEING USED, GO TO V. DISCLOSURE OF PERSONAL INFORMATION**

*Under the FOIPP Act, a public body may use personal information in its custody or under its control only for certain specified purposes as outlined below.*

The public body **must** check one or more of the authorities listed below:

s. 32		Yes	No	n/a
(a)	Will the information be used only for the purpose for which it was obtained or compiled or for a use consistent with the original purposes?	✓		
<p><b>Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use.</b></p> <p>"The JIBC collects personal information for purposes associated with its operating programs and activities..." (<a href="http://www.jibc.ca/privacy">http://www.jibc.ca/privacy</a>) Industry Mailout will be used to manage CEMs with respect to the federal CASL and is consistent with the original purpose for which it was obtained or compiled.</p>				
(b)	Has the individual the personal information is about consented to the use? (Note: Supporting documentation must be on file.)	✓		
(c)	If the personal information was disclosed to the public body by another public body under an authority within sections 33 to 36, is the information being used for that same purpose?			✓
<p><b>Specify subsection(s) being applied</b></p> <p>Disclosure is consistent with original purpose of administering JIBC programs and activities with students at the JIBC</p>				

***If you have not checked one of the above, you do not have the authority to use the information. If you have any questions or require clarification please contact the Legislation, Privacy and Policy Branch.***

**V DISCLOSURE OF PERSONAL INFORMATION**

(Section 33, section 33.1, section 33.2, section 33.3, section 34, section 35 and section 36 of the FOIPP Act)

	Yes	No	n/a
Is personal information being disclosed?	✓		

**IF THERE IS NO PERSONAL INFORMATION BEING DISCLOSED, GO TO  
VI. ACCURACY AND CORRECTION OF PERSONAL INFORMATION.**

*A public body may disclose personal information in its custody or under its control only as permitted under sections 33.1, 33.2, or 33.3 of the FOIPP Act.*

**1) Disclosure of Personal Information**

Sections 33, 33.1, 33.2 and 33.3 of the FOIPP Act provide the legislative authority to disclose personal information. Section 33 provides that personal information **cannot** be disclosed unless it is authorized under section 33.1, 33.2, or 33.3.

**Please choose the main authorization(s) for disclosure below. All authorities that may apply do not need to be checked, only the main authorizations for the initiative.**

<b>s. 33.1</b>	<b>Disclosure inside OR outside Canada</b>	<b>Yes</b>	<b>No</b>	<b>n/a</b>
<b>(1)(a)</b>	In accordance with Part 2 (pursuant to an FOI request)			✓
<b>(1)(a.1)</b>	If the information or disclosure is of a type described in section 22(4) (e), (f), (h), (i) or (j):  22(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if			
	(e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff,			✓
	(f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,			✓
	(h) the information is about expenses incurred by the third party while travelling at the expense of a public body,			✓
	(i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the application for the benefit, or			✓
	(j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the application for the benefit or is referred to in subsection 22(3)(c).			✓
<b>(1)(b)</b>	If the individual the information is about has identified the information and consented, in the prescribed manner, to its disclosure inside or outside Canada, as applicable (Note: Supporting documentation must be on file)			✓
<b>(1)(c)</b>	In accordance with an enactment of British Columbia (other than the <i>Freedom of Information and Protection of Privacy Act</i> ) or Canada that authorizes or requires its disclosure			✓
	<b>Specify name of enactment and relevant section(s)</b>			
<b>(1)(c.1)</b>	If the personal information is made available to the public in British Columbia under an enactment, (other than the <i>Freedom of Information and Protection of Privacy Act</i> ) that authorizes or requires the information to be made public			✓
	<b>Specify name of enactment and relevant section(s)</b>			

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
(1)(d)	<p>In accordance with a provision of a treaty, arrangement or written agreement that</p> <p>(i) authorizes or requires its disclosure, and</p> <p>(ii) is made under an enactment of British Columbia (other than the <i>Freedom of Information and Protection of Privacy Act</i>) or Canada</p>			✓
<b>Specify name of enactment and relevant section(s)</b>				
(1)(e)	<p>To an individual who is a minister, an officer of the public body or an employee of the public body other than a service provider, if</p> <p>(i) the information is necessary for the performance of the duties of the minister, officer or employee,</p> <p><b>and</b></p> <p>(ii) in relation to disclosure outside Canada, the outside disclosure is necessary because the individual is temporarily travelling outside Canada</p>			✓
<b>If paragraph (1)(e)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i></b>				
(1)(e.1)	<p>To an individual who is a service provider of the public body, or an employee or associate of such a service provider, if</p> <p>(i) the information is necessary for the performance of the duties of the individual in relation to the public body,</p> <p><b>and</b></p> <p>(ii) in relation to disclosure outside Canada,</p> <p>(A) the individual normally receives such disclosure only inside Canada for the purpose of performing those duties, and</p> <p>(B) the outside disclosure is necessary because the individual is temporarily travelling outside Canada</p>			✓
<b>If paragraph (1)(e.1)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i></b>				
(1)(f)	To an officer or employee of the public body or to a minister, if the information is immediately necessary for the protection of the health or safety of the officer, employee, or minister			✓
(1)(g)	To the Attorney General or legal counsel for the public body, for the purpose of preparing or obtaining legal advice for the government or public body or for use in civil proceedings involving the government or public body			✓
(1)(h)	To the minister responsible for the <i>Coroner's Act</i> or a person referred to in section 36 of that Act, for the purposes of that Act			✓
(1)(i)	If			
	(i) the disclosure is for the purposes of collecting amounts owing to the government of British Columbia or a public body by			✓
	a. an individual, or			✓

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
	b. corporation of which the individual the information is about is or was a director or officer,			
	<b>And</b> (ii) in relation to disclosure outside Canada, there are reasonable grounds for believing that			
	a. the individual the information is about is in, resides in or has assets in the other jurisdiction, or			
	b. if applicable, the corporation was incorporated in, is doing business in or has assets in the other jurisdiction			
<b>1(i.1)</b>	For the purposes of			
	(i) a payment to be made to or by the government of British Columbia or a public body,			✓
	(ii) authorizing, administering, processing, verifying or cancelling such a payment, or			✓
	(iii) resolving an issue regarding such a payment			✓
<b>(1)(j)</b>	(i) Repealed.			✓
<b>(1)(k)</b>	For the purposes of			
	(i) licensing or registration of motor vehicles or drivers, or			✓
	(ii) verification of motor vehicle insurance, motor vehicle registration or drivers licences			✓
<b>(1)(l)</b>	For the purposes of licensing, registration, insurance, investigation or discipline of persons regulated inside or outside Canada by governing bodies of professions and occupations			✓
<b>(1)(m)</b>	If (i) the head of the public body determines that compelling circumstances exist that affect anyone's health or safety, and (ii) notice of disclosure is mailed to the last known address of the individual the information is about, unless the head of the public body considers that giving this notice could harm someone's health or safety			✓
<b>(1) (m.1)</b>	For the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur			✓
<b>(1)(n)</b>	So that the next of kin or a friend of an injured, ill or deceased individual may be contacted			✓
<b>(1)(o)</b>	In accordance with section 36 (disclosure for archival or historical purposes)			✓
<b>(1)(p)</b>	The disclosure (i) is necessary for			
	(A) installing, implementing, maintaining, repairing, trouble shooting or upgrading an electronic system or equipment that includes an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body, or			✓

	(B) data recovery that is being undertaken following failure of an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body			
	<b>and</b> (ii) in the case of disclosure outside Canada (A) is limited to temporary access and storage for the minimum time necessary for that purpose, and (B) in relation to data recovery under subparagraph (i)(B), is limited to access and storage only after the system failure has occurred			
	<b>If paragraph (1)(p)(ii) applies, please explain how the temporary access and storage is for the <i>minimum time necessary</i></b>			
(1)(q)	If the information was collected by observation at a presentation, ceremony, performance, sports meet or similar event at which the individual voluntarily appeared and that was open to the public. <b>Please identify event:</b>			✓
(1)(r)	If the information Was disclosed on a social media site by the individual the information is about,  Was obtained or compiled by the public body for the purpose of enabling the public body to engage individuals in public discussion or promotion respecting proposed or existing initiatives, policies, proposals, programs or activities of the public body or respecting legislation relating to the public body, <b>and</b> Is disclosed for a use that is consistent with the purpose of enabling the public body to engage individuals in public discussion or promotion respecting proposed or existing initiatives, policies, proposals, programs or activities of the public body or respecting legislation relating to the public body.			✓
	<b>Additional details as required</b>			
(1)(s)	In accordance with section 35 (disclosure for research or statistical purposes).			✓
(1)(t)	To comply with a subpoena, a warrant or an order issued or made by a court, person or body in Canada with jurisdiction to compel the production of information			✓
(2)	In addition to the authority under any other provision of this section or section 33.2, a public body that is a law enforcement agency may disclose personal information referred to in section 33			
(2)(a)	To another law enforcement agency in Canada			✓
(2)(b)	To a law enforcement agency in a foreign country under an arrangement, a written agreement, a treaty or provincial or Canadian legislative authority.			✓

(3)	The minister responsible for this Act may, by order, allow disclosure outside Canada under a provision of section 33.2 in specific cases or specified circumstances, subject to any restrictions or conditions that the minister considers advisable.			✓
(4)	In addition to the authority under any other provision of this section or section 33.2, the Insurance Corporation of British Columbia may disclose personal information if, <ul style="list-style-type: none"> <li>(a) the information was obtained or compiled by that public body for the purposes of insurance provided by the public body, and</li> <li>(b) disclosure of the information is necessary to investigate, manage or settle a specific insurance claim.</li> </ul>			✓
(5) and (6)	For the purposes of operating the designated provincial identity information services as permitted under section 33.1 (5) and (6)			✓
(7)	To respond to citizens' enquiries as permitted under section 33.1(7)			✓
	<b>Additional details as required</b>			

s. 33.2	Disclosure inside Canada only	Yes	No	n/a
(a)	For the purpose for which it was obtained or compiled or for a use consistent with that purpose (see section 34)	✓		
	<p><b>Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use.</b></p> <p>Section 33.2 (a) for the purpose for which it was obtained or compiled or for a use consistent with that purpose (see section 34)</p> <p>Section 34 (a) a) has a reasonable and direct connection to that purpose, and (b) is necessary for performing the statutory duties of, or for operating a program or activity of, the public body that uses or discloses the information</p>			
(b)	Repealed.			✓
(c)	To an officer or employee of the public body or to a minister, if the information is necessary for the performance of the duties of the officer, employee or minister			✓
(d)	To an officer or employee of <ul style="list-style-type: none"> <li>(i) a public body, or</li> <li>(ii) an agency</li> </ul> or to a minister, if the information is necessary for the delivery of a common or integrated program or activity and for the performance of the duties, respecting the common or integrated program or activity, of the officer, employee or minister to whom the information is disclosed			✓
(e)	To an officer or employee of a public body or to a minister, if the information is necessary for the protection of the health or safety of the officer, employee or minister			✓

<b>s. 33.2</b>	<b>Disclosure inside Canada only</b>	<b>Yes</b>	<b>No</b>	<b>n/a</b>
(f)	To the auditor general or any other prescribed person or body for audit purposes			✓
(g)	To a member of the Legislative Assembly who has been requested by the individual the information is about to assist in resolving a problem			✓
(h)	To a representative of the bargaining agent, who has been authorized in writing by the employee whom the information is about, to make an inquiry			✓
(i)	To a public body or a law enforcement agency in Canada to assist in a specific investigation			
	(i) undertaken with a view to a law enforcement proceeding, or			✓
	(ii) from which a law enforcement proceeding is likely to result			✓
(j)	To the archives of the government of British Columbia or the archives of a public body, for archival purposes			✓
(k)	Repealed.			✓
(l)	To an officer or employee of a public body or to a minister, if the information is necessary for the purposes of planning or evaluating a program or activity of a public body			✓
<b>Additional details as required</b>				

<b>s. 33.3</b>	<b>Disclosure to Public Without Request</b>	<b>Yes</b>	<b>No</b>	<b>n/a</b>
(1)	Do the records fall within a category established under section 71 (1)?			✓
<b>Additional details as required</b>				
(2)	Do the records fall within a category established under section 71.1 (1)?			✓
<b>Additional details as required</b>				

2) **Systematic or Repetitious Disclosure/Exchanges?**

		<b>Yes</b>	<b>No</b>	<b>n/a</b>
i.	Do the disclosures of personal information under section 33.2 occur on a regular basis?  As at 2014.05.07 Industry Mailout is filling out a Privacy Protection Schedule (PPS) and preparing an End User License Agreement	✓		
ii.	Has an Information Sharing Agreement been completed for these disclosures/exchanges?			✓
iii.	Has information related to the Information Sharing Agreement(s) been entered into the <b>Personal Information Directory</b> ?			✓

**Personal information exchanges within a public body do not normally require an Information Sharing Agreement (ISA) if they are for a consistent purpose as defined under**

section 33.2(a) of the Act or are necessary for the performance of an employee of the public body under section 33.2(c). However, depending on the nature and sensitivity of the personal information exchanged, the public body might choose to prepare an ISA or similar written statement of understanding.

**3) Research or Statistical Purposes (Section 35)**

	Yes	No	n/a
Has a researcher requested access to personal information in an identifiable form for research purposes?			✓

**If “yes”, a research agreement that conforms to the criteria established in section 35(d) must be in place. Contact the Legislation, Privacy and Policy Branch for assistance.**

**Please note: Research using personal information may only be conducted if it meets all of the terms of section 35.**

**4) Archival or Historical Purposes (Section 36)**

The archives of the government of British Columbia, the archives of a public body, or a board or a francophone education authority (as defined in the *School Act*) may disclose personal information in its custody or under its control to be disclosed for archival or historical purposes as authorized by section 36.

Please check the authorization(s) for disclosure listed below.

	Yes	No	n/a
(a) The disclosure would not be an unreasonable invasion of personal privacy under section 22			✓
(b) The disclosure is for historical research and is in accordance with section 35 (research agreements)			✓
(c) The information is about someone who has been dead for 20 or more years			✓
(d) The information is in a record that has been in existence for 100 or more years			✓

***If you have not answered “yes” to any of the above authorizations for disclosure, you do not have the authority to disclose personal information. If you have any questions or require clarification, please contact the Legislation, Privacy and Policy Branch.***

**VI ACCURACY AND CORRECTION OF PERSONAL INFORMATION**  
(Section 28 and section 29 of the FOIPP Act)

	Yes	No	n/a
1. Are there procedures in place to enable an individual to request/review a copy of their own personal information?			✓
2. Are there procedures in place to correct or annotate an individual's personal information if requested, including what source was used to update the file?			✓

3.	If personal information is corrected, are there procedures in place to notify other holders of this information?			✓
	<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>			
	Policy/procedure:			
	Contact person:			
	Phone number:			
	<b>Additional details as required</b>			

*If any of the questions above have been answered "no", please contact the Legislation, Privacy and Policy Branch for further clarification.*

## VII SECURITY AND STORAGE FOR THE PROTECTION OF PERSONAL INFORMATION (Sections 30 and 30.1 of the FOIPP Act)

**Note:** For PIAs related to new or existing systems, this section should be completed by the Branch of the ministry responsible for systems maintenance and security, and signed off by this branch, in the Signatures section.

For PIAs that do not involve systems initiatives, this section should be completed by the program area completing the PIA. In this case, the signature of the systems representative is not required.

Section 30 of the Act requires a public body to protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

		Yes	No	n/a
1.	Is there reasonable technical security in place to protect against unauthorized access or disclosure?			✓
2.	Is there reasonable physical security in place to protect against unauthorized access or disclosure?			✓
3.	Are there branch policies and procedures in place for the security of personal information during routine collection, use and disclosure of the information?			✓
	<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>			
	Policy/procedure:			
	Contact person:			
	Phone number:			
	<b>Additional details as required</b>			

4.	Have user access profiles been assigned on a need-to-know basis?			✓
5.	Do controls and procedures exist for the authority to add, change or delete personal information?			✓
6.	Does your system security include an <b>ongoing</b> audit process that can track use of the system (e.g., when and who accessed and updated the system)?			✓
<b>Please explain the audit process and indicate how frequently audits are undertaken and under what circumstances</b>				
7.	Does the audit identify inappropriate accesses to the system?			✓
<b>Additional details</b>				

***If any of the questions above have been answered "no", please contact your Ministry's Security Officer. If you have any questions or require clarification please contact the Legislation, Privacy and Policy Branch.***

**Section 30.1 requires a public body to ensure that personal information in its custody or under its control is stored only in Canada and accessed only in Canada unless the individual the information is about has consented or the disclosure is otherwise allowable under the Act.**

		Yes	No	n/a
	Will the information be stored or accessed only in Canada?			✓

**Personal information in a public body's custody or under its control must be stored and accessed only in Canada, unless one of the following applies:**

		Yes	No	n/a
(a)	Has the individual the personal information is about identified it and consented, in the prescribed manner, to it being stored in or accessed from another jurisdiction?			✓
<b>Please explain</b>				
(b)	Will the personal information be stored in or accessed from another jurisdiction for the purpose of a disclosure that is authorized under the <i>Freedom of Information and Protection of Privacy Act</i> ?			✓
<b>Please explain</b>				
(c)	Will the personal information be disclosed under section 33.1(1)(i.1)?			✓
<b>Please explain</b>				

***If you have not answered "yes" to any of the above authorizations for storage or access of personal information outside Canada or if you require clarification, please contact the Legislation, Privacy and Policy Branch.***

## VIII RETENTION OF PERSONAL INFORMATION - (Section 31 of the FOIPP Act)

If a public body uses an individual's personal information to make a decision that directly affects the individual, the public body must retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.

		Yes	No	n/a
1.	Do you have an approved records retention and disposition schedule?			✓
2.	Is there a records retention schedule to ensure information used to make a decision that directly affects an individual is retained for at least one year after use?			✓

***If you answered "no" to the above questions, your procedures may need to be revised. Please contact your Records Officer.***

**Note:** Records of provincial public bodies and designated organizations/public bodies cannot be destroyed unless approval is granted under the authority of the *Document Disposal Act*. Please consult with your Records Officer to initiate the records scheduling process.

**IX LEGISLATION, PRIVACY AND POLICY BRANCH COMMENTS**

**X SIGNATURES**

**PUBLIC BODY APPROVAL:**

Mary DeMarinis, Director Student  
Affairs and Registrar

  
Signature

May 13, 2014  
Date

Program Manager

Ministry Contact Responsible for  
Systems Maintenance and Security

Signature

Date

Legislation, Privacy and Policy Branch  
Office of the Chief Information Officer  
Ministry of Technology, Innovation and  
Citizens' Services

Signature

Date

Assistant Deputy Minister or Equivalent

Signature

Date

**GO TO: PERSONAL INFORMATION DIRECTORY (to add PIA and/or ISA summary)**