New Employee Orientation

Freedom of Information and Protection of Privacy Act

Last updated: June 21, 2017 (1.2)

1. Introduction

1.1 In your new positions, you may be responsible for handling confidential or personal information contained in University records. All records created or received by the University are considered University records. Almost all University records are covered by and subject to the Freedom of Information and Protection of Privacy Act of British Columbia.

1.2 As University employees, you must comply with this law and ensure that its provisions and requirements are implemented and followed. All University employees share this responsibility when doing their jobs. The following provides a brief overview of the law and what it means for you as a University employee.

2. The Law and University Policy

2.1 The Freedom of Information and Protection of Privacy Act has two purposes:

2.1.1 First, to make the University accountable to the public by giving everyone (students, staff, faculty and any member of the public) a right of access to University records. This includes giving individuals access to their own personal information.

2.1.2 Second, to protect personal privacy by ensuring the appropriate collection, use and disclosure of personal information by the University.

2.2 The University has 10 policies relating to access and privacy. The purpose of these policies is to implement and administer the law on campus. You can find them in the University Policy Gazette.

3. Access to Information

3.1 Most information is routinely available to individuals. Consider, for example, that the University responds to hundreds of requests for information each day. For instance, information about University policies, programs and courses can be disclosed upon request. In contrast, we handle only 20-25 requests each year as formal Freedom of Information requests. This happens only when information is considered confidential or personal and is subject to restrictions under the Act. These restrictions are known as exceptions. These exceptions are limited and specific.
3.2 When a request is received for records to which exceptions apply, the records are referred to the Archives and Records Management Department for review. The University’s Information and Privacy Officer is responsible for determining if exceptions apply and processing the request in accordance with the Act and University policy. If you receive a request for records and you are not sure if restrictions apply, please call the Information and Privacy Officer as soon as possible. Under the Act we have 30 working days to respond to a request.

4. Privacy

4.1 There are seven privacy rules which safeguard personal information. They are: Collection, Accuracy, Correction, Protection, Use, Disclosure, and Retention and Disposal. Please keep these rules in mind as you go about your new job duties.

4.2 For most people in BC, information about their job duties, position and salary is considered personal and private. However, as employees of a publicly funded institution, this information about you is public. The law permits disclosure of your job title, job duties and position, annual salary, your department, office room number, office telephone number and your SFU email address. The reason is we are considered public employees and the public has a right to know what we do, where we work on campus and how much we are paid. On the other hand, information about your employment history, that is, where else you may have worked outside of SFU, your work record, your performance appraisals or other information about how you have conducted yourself at work is considered personal and private, is protected and cannot be made public.

4.3 As University employees who handle personal information, in particular, student information, we all have a duty to protect it. Unauthorized collection, use and disclosure of personal information is illegal. For instance, personal information about students such as home address, telephone number, email address, courses and grades must always be protected. If a student or other individual thinks that his or her personal information was misused or mishandled or that their personal privacy was invaded by a University employee he or she may complain to the Information and Privacy Commissioner. The Commissioner will then investigate the actions of the University.

5. Service and Support

5.1 We offer four services to support you in performing your access to information and protection of privacy responsibility:

5.1.1 we provide you with advice upon request about any situation involving access to records and privacy protection;

5.1.2 when access is requested to confidential or personal information, we process the request for you;

5.1.3 when someone makes a complaint we represent the University and are the contact with the Provincial Commissioner's Office; and

5.1.4 we offer training and information.
6. Other Departmental Services

6.1 Archives and Records Management is also responsible for administering two other University programs: records management and archives.

6.2 Records Management supports administrative and academic departments with managing their records. We provide guidelines on how long to keep University records and whether to destroy or preserve them for future generations. A full-time records management archivist develops and maintains the Records Retention and Disposal Schedules, provides support on records management planning and runs records management training courses through the Human Resources Department’s Learning and Development program.

6.3 The Archives is the corporate memory of the University. We acquire and preserve SFU’s official records of historic value as well as those of University-related groups such as the Student Society. We collect records of private individuals and organizations, like former B.C. premier W.A.C. Bennett and the John Howard Society. We are a research centre and our clients include SFU and other university students, faculty, research scholars, journalists and members of the public. A reference archivist is available to respond to questions and enquiries.

7. Contacts

7.1 Contact information for the SFU Archives and Records Management Department can be found at http://www.sfu.ca/archives.