

## Administrative Procedures

<b>AP-519</b>  <b>PRIVACY</b>	<b>Date of implementation:</b> January 2020 <b>Date of update:</b> May 28, 2025 <b>Date of review:</b> May 28, 2025
	<b>Related Administrative Procedures:</b> <a href="#">AP-416 Student Records</a> <a href="#">AP-708 Records</a>

### Procedure:

#### 1) Access to Information

- a) The Division recognizes that individuals have a right to access records that are in the possession of the Board excluding those records that are exempt according to *The Local Authority Freedom of Information and Protection of Privacy Act* (LAFOIP).
  - i) The Director of Education is responsible for compliance with LAFOIP and Regulations.
  - ii) The Director of Education may designate an officer of the Board to serve as Privacy Officer in accordance with the LAFOIP.
- b) Only those persons requiring access to personal information in order to perform the duties of their employment shall be allowed access to that personal information.
- c) Individuals may complete the LAFOIP [Access to Information Request form](#) to request access to information. Individuals may also forward requests directly to [privacy@spiritsd.ca](mailto:privacy@spiritsd.ca).

#### 2) Disposal of Information

- a) Personal information shall be retained no longer than is required for the purposes for which it was collected or for a purpose consistent with that original purpose.
- b) The duration of the retention of records will be as set out in Records Retention and Disposal Guide for Saskatchewan School Divisions.
- c) Procedures regarding disposal are to be in accordance with AP-708 Records.
- d) Procedures regarding student records, cumulative and permanent records, are to be in accordance with AP-416 Student Records.

#### 3) Privacy Breach

- a) A privacy breach is often thought of as inappropriate sharing of personal information. However, a privacy breach can occur in several different ways:

- i) Collection: A privacy breach could occur if a public body asks for or collects more personal information needed for the purpose for which it is being collected (e.g. a health services number is required for a non-health related service, social insurance number is required to make a job application, personal information is not collected directly from the individual, etc.). The rules for collection are found in sections 24 and 25 of LAFOIP.
  - ii) Use: A privacy breach could occur when personal information already in the possession or control of the public body is used for reasons that are not consistent with the purpose for which they were collected (e.g. personal information is collected to provide one service and then used to promote a different service). The rules for use are found in section 27 of LAFOIP.
  - iii) Disclosure: A privacy breach could occur when an unauthorized disclosure of personal information transpires (e.g. when personal information is missing, when an employee accesses personal information without a need-to-know, when a public body shares personal information with another organization, etc.). Note: if personal information in the possession or control of a public body is missing, even if there is no evidence that someone has viewed the personal information, it qualifies as a disclosure (section 28 of LAFOIP).
  - iv) Accuracy: Public bodies have a duty to ensure personal information is as accurate and complete as possible. A privacy breach may occur when personal information is inaccurate (section 26 of LAFOIP).
- b) If a privacy breach occurs, any employee who witnesses or is otherwise informed of the breach, must immediately report the breach to their immediate supervisor and the Prairie Spirit Privacy Officer.
  - c) In each case, the Privacy Officer will work with the reporting employee(s) to complete a formal Privacy Breach report on behalf of the Director of Education.

*References:*

[\*The Local Authority Freedom of Information and Protection of Privacy Act\*](#)

[\*Records Retention and Disposal Guide for Saskatchewan School Divisions\*](#)

[\*Prairie Spirit Privacy Breach\*](#)

[\*LAFOIP Access to Information Request Form\*](#)