



ADMINISTRATIVE GUIDELINE

Title: **Records Information Management**

Effective Date: May 25, 2000

Responsibility: Director of Education

The objective of this guideline is to outline provisions for the management of information within the District School Board, ensuring economy and efficiency in the creation, maintenance, retrieval, storage and disposition of records while providing for the co-ordination of activities required to support records management services within the Near North District School Board.

The guideline applies to all Near North District School Board schools and departments unless otherwise specified.

1. The District School Board, under the authority of Section 150(36) of the Education Act, has adopted a records management system in accordance with the following criteria:
 - 1.1 provide a record keeping system that efficiently maintains and retrieves information;
 - 1.2 provide efficient and prompt disposal of records when their administrative, legal and fiscal values have ceased and all legislated requirements have been met while preserving those records of enduring value;
 - 1.3 provide for the development and efficient use of computer and micrographic systems where cost effective applications exist;
 - 1.4 provide records management input into the planning and development of systems designed to enhance information management;
 - 1.5 standardize the type of equipment and supplies utilized in the maintaining of records within the District School Board and provide for records management input into the design or redesign of existing or future accommodation in the schools and departments;
 - 1.6 reduce the creation of unnecessary records, including forms, directives and reports;
 - 1.7 provide for the storage and retrieval of inactive records;
 - 1.8 provide specific protection to vital and archival records;
 - 1.9 provide for training of staff involved in delivering and using the program.

Our mission is to educate learners to their fullest potential in preparation for life-long learning.

2. The Records Retention Schedule contains the minimum retention periods for various documents. Administration will modify those time limits from time to time as required by Federal and Provincial legislation and regulations.
3. Whereas the Near North District School Board supports the principles set out in the Freedom of Information and Protection of Individual Privacy Act, 1989 including:
 - 3.1 information held by the institution covered by the legislation should, in general, be available to the public;
 - 3.2 exemptions from the right of access to information should be limited and specific;
 - 3.3 personal information held by institutions should be protected from unauthorized disclosure; and
 - 3.4 decisions relating to access to information should be reviewed by the independent Information and Privacy Commissioner.

Therefore, in compliance with this Act, the Board shall:

- a) Provide a Directory of Records, that is amended as required, to meet the requirements of Sections 25 and 26 of the Act.
- b) Provide an annual report to the Commissioner, using the form prescribed for Year-end Statistical Report for the Information and Privacy Commissioner of Ontario.
- c) Adopt the "Information Management Request Procedure", Appendix A attached, to provide, where it legally can, information to the public.
- d) Provide a procedure, as outlined in Appendix B, "Request to Correct Personal Information", to make corrections and insure accuracy of Personal Information.
- e) Authorize the Director of Education or designate to establish guidelines and procedures:
 - i) setting standards for and requiring administrative, technical and physical safeguards to ensure the security and confidentiality of records and personal information under the Board's control,
 - ii) to prevent the unauthorized access to records and to protect against inadvertent destruction of records as per the requirements of O.Reg. 517/90,
 - iii) to protect the confidentiality of computer discs, CD's, tapes etc. supplied by various Government Ministries for planning purposes,
 - iv) to provide record keeping systems and services that efficiently maintain and retrieve information,
 - v) to prevent the creation of unnecessary records, including forms directives and reports,
 - vi) to provide for the storage and retrieval of inactive records,
 - vii) to ensure that "record of use" or "a record of disclosure" as per Section 35 of the Act is included in personal information files and a record maintained for reporting to the Privacy Commissioner,
 - viii) to ensure that an inventory of forms in use throughout the system

be taken periodically to substantiate that the information collected is relevant to the operation of the organization and that each form contains a use/notice of collection statement, Section 29[2] of the Act.

4. Specific Freedom of Information and Protection of Privacy issues for staff and students is located in *Administrative Guideline – Freedom of Information and Privacy – Staff and Students – May 25 , 2000*.



Information Management Request Procedure

The procedure for dealing with requests to “access information” in compliance with the Municipal Freedom of Information and Protection of Individual Privacy Act is as follows:

Requests for access to records must be dealt with within 30 calendar days from the date a complete request is received. A complete request is one which has been clarified or one which provides sufficient detail to allow the institution to understand what information is being requested.

1. Receipt of Request

- Head/Designate receives request in writing
- reviews the request (is there sufficient details)
- clarifies it with the requester, if necessary
- date stamps the request, open file, prepare a tracking and recording form

2. Locate Record(s)

- determine if record exists
- if machine readable, can record be produced
- contacts those employees with the District School Board who might be able to locate the relevant record, letting them know what the requester is looking for
- if requested information is not held by the District School Board, the request is forwarded or transferred to the custodian of the record within 15 days with a notification of same to the requester
- if the request is for a large number of records or necessitates a search through a large number of records and meeting the 30 day time limit would unreasonably interfere with the operation of the institution or consultations cannot reasonably be completed within the 30 day time limit that are necessary to comply with the request, the requester is notified in writing that the time limit or responding to the request has been extended in accordance with Section 20 of the Act.

3. Preliminary Review

- all records are forwarded to the Head/Designate for consideration,
- Head/Designate reviews the record and undertakes whatever consultations are necessary to determine if any exemptions in the Act apply. If any applicable exemptions are discretionary, the Department decides whether discretion should be exercised in favour of releasing the record, in the circumstances of that particular case,
- Requester is given a fee estimate regarding disclosure of records(s), as required.

4. Process Request

- Retrieve the record(s)
- Determine if exemptions apply and access method,
- If a fee estimate is issued and the requester responds with an application for waiver, the Head/Designate considers and decides whether a waiver will be given,
- if the contents of the record contain third party information or certain personal information, a notice to the affected third party is made concerning the release of the requested record(s) under Section 10 of the act as well as to the requester.

4. Grant/Deny Access

- Head/Designate decides whether or not to release the record or any part of it, and issues a notice to the requester either granting or denying access to records. If a decision was made to release a record(s) containing third party information, a notice is sent to the affected third party informing them of the decision to grant access

Note: The affected third party has 30 days in which to appeal the decision regarding access to the Commissioner. Access is not granted until the 30 days has expired and an appeal has not been filled.

6. End

The Head/Designate:

- Collect fees, where applicable, and provides records,
- Records the request and relevant information in a tracking binder/file for annual reporting to the Office of the Information and Privacy Commissioner of Ontario,
- Closes the file, unless an appeal is commenced.



Request to Correct Personal Information

Procedures to deal with a written request to correct personal information in accordance with the Municipal Freedom of Information and Protection of Individual Privacy Act, 1989.

1. The Head/Designate receives, in writing, request for correction of personal information [requests received by the Manager – Human Resources (employees) or Principals (students) are to be forwarded promptly to the Head/Designate.]
2. The Head/Designate date stamps the request, opens a file and prepares a tracking and recording form.
3. The Manager – Human Resources (employees) or Principal (students) obtains the record and presents it to Head/Designate for consideration.
4. The Head/Designate reviews the record and decides whether or not the information submitted for correction can be verified and requests documentary proof, if applicable, especially if the information has an impact on an individual’s financial status or eligibility for benefit.
5. The Head/Designate corrects personal information, and notifies requester; or
6. If requested, correction of personal information is not made, the individual is informed of the reasons the correction was not made and that the individual has the right to:
 - Appeal the decision to the Information and Privacy Commissioner;
 - Require that a statement of disagreement be attached to the information, or
 - Have any person or body to whom the personal information was disclosed within the last twelve months notified of the correction or statement of disagreement.
7. The Head/Designate documents the request and action taken.
8. The file is closed unless an appeal is commenced.
9. A copy of/or the “Tracking and Reporting Form” is placed in the tracking binder/file for annual reporting to the Office of the Information and Privacy Commissioner of Ontario.