

1.0 POLICY STATEMENT

- 1.1 MacEwan University (the “University”) is committed to protecting the privacy of Personal Information that is in its custody or under its control. To achieve this objective, the collection, use, disclosure, retention and disposition of Personal Information collected by the University will adhere strictly to the provisions of Alberta’s *Freedom of Information and Protection of Privacy Act* (“FOIP Act”) and the *Freedom of Information and Protection of Privacy Regulation* (“Regulation”), and this policy.

2.0 PURPOSE

- 2.1 The mandate of the University necessitates the collection, use, disclosure, retention, and disposition of Personal Information of students, faculty, staff, alumni, volunteers, retirees and the general public. The University is committed to ensuring the confidentiality of Personal Information that is in its custody or under its control, while maximizing transparency and access to University information.
- 2.2 The University will act in an accountable and transparent manner when responding to access to information requests.

3.0 APPLICABILITY

- 3.1 This policy applies to all Members of the University Community to whom the FOIP Act applies.

4.0 DEFINITIONS

Authorized Persons

Members of the University Community to whom the FOIP Act applies who, by virtue of their duties and responsibilities, may collect, use and disclose personal information;

Informal Disclosure

Granting of access to a Record without the submission of a formal access request under the FOIP Act.

Members of the University Community to whom the FOIP Act applies

Persons involved in conducting University affairs or operations or using University property, including all employees, agents, contractors and volunteers;

Personal Information

Recorded information about an identifiable individual as defined under the FOIP Act, which includes but is not limited to an individual’s name, age, ID number, ethnic origin, financial information, biometric information, medical history, or an opinion about the individual.

Personal Information Collection Notice

A statement that is provided, either in writing or orally, to an individual from whom the University collects Personal Information and which details the purpose of the collection, the legal authority under which the University is collecting the Personal Information and contact details of the business area that can answer questions regarding the collection.

Record

Recorded information in any form which includes any notes, images, audio-visual recordings, documents, videos, text messages, social media posts, and any other information that is written,

photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.

Research Information

The records of facts and ideas that are used by a researcher to conduct an academic inquiry or investigation with the intention of peer dissemination.

Teaching Materials

Record of facts, information, or ideas that an instructor uses to prepare for or engage in academic teaching, including course materials, course content, teaching methodology and a record of communication between two or more instructors regarding course content, materials and teaching methodology, but does not include correspondence regarding a specific student or students or correspondence between an instructor and a student.

5.0 POLICY ELEMENTS

5.1 Access to Information

- 5.1.1 The University should make its information available to the public. If University information is not available through Informal Disclosure, a formal request for information can be made to the University's Information and Privacy Office, in accordance with the Access to Information Procedure.
- 5.1.2 Proprietary information, including Research Information and Teaching Materials that are in the custody or under the control of the University, will not be made accessible to the general public.

5.2 Collection of Personal Information

- 5.2.1 The University will only collect Personal Information that is expressly authorized by an enactment of Alberta or Canada, for the purposes of law enforcement or that relates directly to and is necessary for an operating program or activity of the University. Personal Information will be collected directly from the individual who is the subject of the information except as otherwise permitted by legislation.
- 5.2.2 Authorized persons shall collect only the minimum amount of Personal Information required for or on behalf of the University, which must be accompanied with a Personal Information Collection Notice.

5.3 Protection, Use and Disclosure of Personal Information

- 5.3.1 The University shall establish administrative, physical and technical controls to protect Personal Information from unauthorized access, use, disclosure or destruction.
- 5.3.2 Authorized Persons shall only use Personal Information that is in the custody of the University when there is a legitimate need to use such information, and only to the level of detail necessary to enable them to properly perform an operating activity or program of the University.

- 5.3.3 Personal Information in the custody or under the control of the University will not be disclosed by Members of the University Community to whom the FOIP Act applies unless it is for the specific circumstances permitted by the FOIP Act.

5.4 Accuracy and Retention of Personal Information

- 5.4.1 The University must make every reasonable effort to ensure Personal Information that is used is accurate and complete.
- 5.4.2 An individual who believes there is an error or omission in their Personal Information that is in the custody or under the control of the University, may submit a written request for correction to the Information and Privacy Office, in accordance with the Correction of Personal Information Procedure.
- 5.4.3 Personal Information used to make a decision about that individual must be retained for no less than one year, after which the Personal Information may be destroyed according to the retention periods contained in the University's Records Retention Schedule.

5.5 Confidentiality of Video Surveillance

- 5.5.1 Video surveillance on University premises may only be conducted by Security Services. Personal Information collection notices will be installed at building entrances that are closest to surveillance camera locations.
- 5.5.2 The use or disclosure of images captured by audiovisual recording on surveillance cameras on University premises is governed by this policy and associated procedures.
- 5.5.3 Any covert video surveillance must receive prior approval from the Information and Privacy Office.

5.6 Compliance

- 5.6.1 Members of the University Community to whom the FOIP Act applies may only collect, use, disclose or destroy records in accordance with the FOIP Act, this policy, and the associated procedures.
- 5.6.2 Instances of possible non-compliance with the FOIP Act and this policy must be immediately reported to the University's Information and Privacy Office which will conduct an investigation into the matter.
- 5.6.3 Non-compliance with the FOIP Act, this policy, and the associated procedures, may result in disciplinary action up to and including the termination of contract or appointment.

6.0 ASSOCIATED PROCEDURES

- Access to Information Procedure
- Correction of Personal Information Procedure
- Legal Hold Procedure
- Managing Personal Information Procedure
- Records Retention and Destruction Procedure
- Use of Personal Information for Academic Research and Creative Activity Procedure

7.0 RELATED POLICIES, FORMS, AND OTHER DOCUMENTS

- Records Management Policy
- Ethical Review of Research with Human Participants Policy
- Legal Resources Policy
- Electronic Mail Policy
- Information Security and Identity Management Policy
- Management of Student Records and Information Procedure
- Privacy and Security Assessment Intake Questionnaire

8.0 ACCOUNTABILITY

Policy Sponsor

General Counsel

Responsible Office

Information and Privacy Office

9.0 HISTORY

Relevant Dates

Approved: **2024.08.27**
Effective: **2024.08.27**
Next Review: **2029.08**

Modification History

- 15.02.26:** Approved by Board Motion 02-02-26-2014/15. This is a new policy that documents provisions relating to the collection, use and disclosure of personal information by employees of MacEwan University.
- 18.11.19:** Minor revision to add an associated document. Approved by Policy Sponsor on November 19, 2018.
- 21.11.01:** Minor revision to update position title. Approved by Policy Sponsor.
- 24.08.27:** Comprehensively revised to ensure compliance with legislative requirements and alignment with current processes. Approved by President's Policy Committee (#2024.08.27-03.3 EC).