

| | |
|-------------------|---|
| Policy Number: | 6751 |
| Policy Title: | Information Privacy and Security |
| Approved by: | Senate |
| Approval date: | September 21, 2011 |
| Effective date: | September 21, 2011 |
| Review date: | November 6, 2020 |
| Next review date: | November 2025 |

1. Policy Statement

1.1. University Canada West (“**UCW**”) is committed to safeguarding the privacy rights of the UCW Community.

2. Purpose

2.1. This Policy outlines how and why UCW collects, uses, and discloses Personal Information in physical and electronic format pursuant to privacy laws.

3. Scope

3.1. This Policy applies to all members of the UCW Community.

4. Definitions

4.1. The following definitions apply to this Policy and the associated Procedure:

| Word/Expression | Definition |
|-----------------------------|---|
| Consent | Voluntary agreement to the collection, use, or disclosure of Personal Information. Consent may be express, deemed, or implied. |
| Deemed Consent | An individual provided with prior notice of a proposed collection, use, or disclosure of their Personal Information and an opportunity to object, and they did not provide an objection. |
| Express Consent | A deliberate written or verbal agreement for the collection, use, or disclosure of an individual’s Personal Information. |
| Implied Consent | An individual provides their Personal Information for a purpose that would be considered obvious to a reasonable person at the time. |
| Personal Information | Information about an identifiable individual, including information collected, used, or disclosed solely for the purposes reasonably required to establish, manage, or terminate an employment relationship between UCW and that individual. It does not include: <ul style="list-style-type: none"> a) contact information (i.e., individual at a place of business); or b) work product information (i.e., information prepared or collected by an individual or group of individuals as a part of their responsibilities or activities related to their employment or business). |

| | |
|--|--|
| Privacy Breach | An unauthorized access to the collection, use, disclosure, or disposal of Personal Information. |
| Record | A record of information in any form and recorded or stored in any manner, including paper, electronic, digital, audio, and video, but does not include a computer program or a mechanism that produces records on any storage. |
| Privacy and Data Protection Officer | The position with overall management responsibility for the privacy policies and procedures at UCW. This is a functional description, not a title. The Privacy and Data Protection Officer is appointed by the President. |
| UCW Community | All employees, students, and alumni of UCW, and all people who have status at UCW including members of the Board of Governors and Senate, visiting and emeritus faculty, researchers, and volunteers. |

5. Personal Information of Students and Alumni

5.1. The collection, use, and disclosure of Personal Information of students and alumni fulfill UCW's contractual obligations and legitimate business interests, including:

- 5.1.1. programs, activities, marketing and promotional activities;
- 5.1.2. educational programs and related services;
- 5.1.3. payments, awards, scholarships, and bursaries;
- 5.1.4. recruitment, admissions, enrolment, and registration;
- 5.1.5. academic performance, academic standing, and student progression;
- 5.1.6. complaints, misconduct, safety incidents, and emergency circumstances; and
- 5.1.7. communications for the above purposes.

5.2. Personal Information collected for the above purposes, including:

- 5.2.1. emergency contacts, passport, visa, and study permit images;
- 5.2.2. educational and employment history (prior academic performance or disciplines);
- 5.2.3. grades, assessments, test and assignment results, professional designations; and
- 5.2.4. other information voluntarily provided on admission and scholarships forms or through participation in UCW programs and activities.

5.3. There may be legitimate reasons for the collection of sensitive Personal Information including health, disability, race, ethnicity, religious beliefs, sexual orientation, or criminal convictions or offences, with prior notice and consent unless otherwise authorized by privacy laws.

6. Personal Information of Past, Present, and Future Employees

6.1. The collection, use, and disclosure of Personal Information of past, present, and future employees

fulfill UCW's legitimate business interests, and for establishing, managing, and ending the employment relationship and other purposes permitted under law, including:

- 6.1.1. employment related programs and services;
- 6.1.2. performance evaluation and monitoring;
- 6.1.3. incidents or issues involving employees;
- 6.1.4. business and service delivery purposes;
- 6.1.5. promotion, demotion, and discipline;
- 6.1.6. payroll and benefits administration;
- 6.1.7. scheduling, recruiting, hiring; and
- 6.1.8. workplace safety.

7. Consent and Purpose

- 7.1. Personal Information is collected, used, and disclosed based on express, deemed, or implied consent, unless otherwise authorized by laws.
- 7.2. Individuals who have provided consent for the collection, use, or disclosure of their Personal Information may withdraw consent at any time by providing written notice. In some circumstances, withdrawing consent may affect UCW's ability to provide services.
- 7.3. Personal Information of employees is collected, used, and disclosed without consent to the extent reasonably required to establish, manage, or end the employment relationship and for other purposes under applicable laws.
- 7.4. Personal Information about third parties may be requested (e.g., emergency contact). The UCW Community member must ensure to have obtained consent from the third parties.

8. Retention of Personal Information

- 8.1. Personal Information is retained only as long as it is needed for academic, employment, operational, or legal reasons.
- 8.2. Personal Information that is used to make a decision about a UCW Community member will be retained for at least one year in compliance with privacy laws. Some Personal Information may be required by law to be retained for longer periods.

9. Accuracy of Personal Information

- 9.1. A reasonable effort is made to ensure that the Personal Information is accurate, complete and current as required for the purposes for which it is collected.

- 9.2. In some cases, UCW relies on the UCW Community to ensure that the Personal Information is accurate, complete, and current (e.g., contact information).
- 9.3. UCW Community members may request the correction of their Personal Information.

10. Access of Personal Information

10.1. UCW Community members may request access to their Personal Information:

- 10.1.1. The Registrar's Office is the contact for students.
- 10.1.2. The Human Resources department is the contact for employees.
- 10.1.3. The Student Affairs and Services department is the contact for alumni.

10.2. UCW may refuse access if the Personal Information:

- 10.2.1. is privileged, such as legal advice;
- 10.2.2. is of a third party;
- 10.2.3. access would threaten the mental or physical health of another person;
- 10.2.4. constitutes UCW's confidential or commercial interests;
- 10.2.5. is otherwise permitted to be refused under law.

11. Disclosure of Personal Information

- 11.1. Personal Information may be shared with law enforcement or regulatory authorities as required, including government agencies who deliver post-secondary educational programs.
- 11.2. Personal Information may be shared with UCW's parent corporation, Global University Systems, who assists UCW with admissions and programs (website Privacy Policy).

12. EU Applicants

- 12.1. Applicants for admission or employment from a European country are subject to the *General Data Protection Regulation (EU) 2016/679 (GDPR)* (website Privacy Policy).
- 12.2. For the purposes of the GDPR, UCW is the data controller for applying to or participating in UCW's educational or employment programs.
- 12.3. The GDPR provides the right to:
 - 12.3.1. Request access to personal data;
 - 12.3.2. Request the erasure of personal data;
 - 12.3.3. Request the correction of personal data for accuracy;
 - 12.3.4. Request the transfer of personal data to another party;
 - 12.3.5. Withdraw consent if the personal data is being processed on such basis;

- 12.3.6. Object to the processing of personal data (e.g., marketing or profiling purposes);
- 12.3.7. Request the restriction or suspension of using the personal data, such as whether the information is no longer needed or was unlawfully processed;
- 12.3.8. Obtain personal data in a portable format, such as in electronic form; and
- 12.3.9. Complain to the applicable data protection authority.

13. Privacy Breach

- 13.1. UCW takes prompt corrective action in the event of a loss, theft, or any unauthorized collection, use, or disclosure of Personal Information in accordance with the associated Procedure.
- 13.2. Anyone who suspects a Privacy Breach must immediately notify the Privacy and Data Protection Officer at privacy@ucanwest.ca.

13. Applicable Legislation

- 13.1. *Personal Information Protection Act*, SBC 2003, c 63.
- 13.2. *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.
- 13.3. *Privacy Act*, RSBC 1996, c 373.
- 13.4. *Privacy Act*, RSC 1985, c P-21.
- 13.5. *General Data Protection Regulation (EU) 2016/679 (GDPR)*.

14. Responsibility

- 14.1. The President has ultimate accountability for compliance with privacy provisions. The President may delegate their powers in whole or in part, but the delegate may not sub-delegate.
- 14.2. This Policy is administered under the authority of the Privacy and Data Protection Officer who is responsible for the maintenance of this Policy and the associated Procedure.

15. Related Policies

| Policy Number | Policy Title |
|---------------|--|
| 1506 | Survey |
| 2700 | Acceptable Use of Information Technology Resources |
| 6750 | Records Management |
| N/A | Website Privacy Policy |

16. Related Procedure

| Procedure Number | Procedure Title |
|------------------|-----------------------------------|
| 6751p | Privacy Breach Response Procedure |