

U N I V E R S I T Y O F N E W B R U N S W I C K

Right to Information and Protection of Privacy Act (RTIPPA)

For UNB Faculty & Staff
2013

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University Secretariat




Right to Information and Protection of Privacy Act (RTIPPA)
2013

NOTES

SLIDE 2

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RTIPPA




1 September 2012

Combined the Right to Information Act (1978) & the Protection of Personal Information Act (1998)

4 principles

- Public right to access information
- Protection of Personal Privacy
- Overriding policy of openness
- Mechanisms in place for appeals


RTIPPA

1 September 2010 – proclaimed

1 September 2012 – compliance

The Right to Information and Protection of Privacy Act was proclaimed the fall of 2010.

The Application of the legislation for public bodies has been rolling out progressively. It applies to New Brunswick universities effective September 1, 2012.

Combined the Right to Information Act (1978) and the Protection of Personal Information Act (1998)

RTIPPA combines two previous important pieces of legislation allowing for both access to information while protecting the rights of an individual.


Allows ...“any person a right of access to records in the custody or under the control of public bodies, subject to limited and specific exceptions”

4 principles

- Public right to access information
- Protection of Personal Privacy
- Overriding policy of openness (limiting the exceptions)
- Mechanisms in place for appeals

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Policies



Policy for the Provision of Access to Information

Policy for the Protection of Personal Information & Privacy

- Ensure compliance with RTIPPA
- Inform the University community of responsibilities



Policies

(The strategies an organization has agreed will guide their actions.)

Policy for the Provision of Access to Information

Approved this summer, effective September 1, 2012

- Reviews what are University records
- What records can or cannot be requested under RTIPPA
- Our role for facilitating access to information

Policy for the Protection of Personal Information & Privacy

In place since 2009

Founded on 10 Privacy Principles

- | | |
|---|-------------------------------------|
| 1. Accountability | 6. Accuracy |
| 2. Identifying Purposes | 7. Protection |
| 3. Consent | 8. Openness and Assistance |
| 4. Limiting Collection | 9. Individual Access and Revision |
| 5. Limiting Use, Disclosure and Retention | 10. Ability to Challenge and Appeal |

These policies will help to:

Ensure compliance with the RTIPPA


And

Inform the University community of our responsibilities

We are all accountable to be familiar with the requirements of RTIPPA and how they apply to our work.

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Procedures




University Secretariat

RTIPPA Requests Types & Forms

- Access to Information Requests
- Personal Information Revision/Access Request

RTIPPA Training & Resources

- RTIPPA Video
- RTIPPA Online Quiz
- Best Practices Resources
- Top 10 Handouts



Procedures

(Established or official way of doing something - The specific actions the University is going to take)

University Secretariat

The University Secretariat is the first point of contact for all things RTIPPA, Privacy & Records Management related.

Sarah DeVarenne, the University Secretary has been delegated, by Dr. Campbell (Head of the public body, i.e. President and Vice-Chancellor) to respond to RTIPPA requests.

All requests go through the University Secretariat working with the units, departments & faculties the request pertains to.

Responses are prepared by University Secretariat in consultation with the appropriate Dean, Directors and Plus of the units, departments and/or faculties applicable to the request.

RTIPPA Request Types & Forms

Access to Information Requests

Personal Information Revision/Access Request

RTIPPA Training & Resources

We are all 'accountable', responsible to be aware of RTIPPA and our role at UNB to facilitate compliance.

Resources available on our website

- RTIPPA Video
- RTIPPA Online Quiz
- Best practices type resources
- Top 10 series of handouts

Training and presentations to units, departments and faculties

New Admin Orientation 20120830

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Practices



- Collaborative Process**
 - Working together
- File Management**
 - Identify & locate records
 - Use information 'antennae'
- Protection of Privacy**
 - Privacy Officers - Registrars



Practices

(Guides to help the University meet its policies and procedures)

Collaborative Process

Administrators need to support the efforts to fill the request including supporting staff locating and identifying records

Must comply with the legislation and meet the 30-day completion date.

As a public body, the University has a duty to help applicants with the request process, so the University Secretariat will work with requesters to focus the request to relevant records.

We need your support by providing assistance as early on in the request process as possible.

File Management – Best Practices

The ability to identify and access the appropriate records is key.

As we work towards developing a University wide records management program need to:

- Exercise best practices for both electronic and paper file management
- Applies to individuals and units, departments or faculties
- Listen to information management "antennae".
- Protect electronic mobile devices and the information & records they store
- Thinking before you write, don't type what you would not want someone to see


Protection of Privacy

Privacy Officers on both campuses - Registrars


Fortunate to have a first point of contact/ starting point on both campuses if any concerns arise

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Practices



- Clear Purpose & Limiting Collection**
 - Justification
- Accountability**
 - Having access & knowing when to use it
- Consent - *Informed***
 - Knowledgeable
- Limiting Use, Disclosure and Retention**
 - Sharing & shredding



Protection of Privacy – Examples

Clear Purpose & Limiting Collection

- We need to have a reason to be collecting personal information and be able to explain it verbally or in writing.
- We also have to disclose upfront why we are collecting information, we cannot think of a good use for the information after we have collected it (secondary purpose).
- We can limit collecting by asking if the information being collected is necessary to perform a function. Need to be able to justify.

Accountability

- We need to exercise good judgement.
- Keep access on a need to know basis, just because we have access does not mean we should use it

Consent

- There is only one kind of consent **Informed** (aka expressed) consent (implied is gone).
- Implied consent *used to be* all that was necessary, now people must be informed.
- Cannot force consent, e.g. by making information provision conditional, necessary for being in a course or participating in a program.

Limiting Use, Disclosure and Retention

- Need to understand the limits of use
- Class lists not for providing a general class list to all students in a course to keep in touch.
- Retention practices are a combination of both legal and University regulations & policies
 - ...Marked materials held by the instructor must be retained for twelve months after the end of the term. Students are expected to have returned graded assignments available for review by the reviewers...



Thank you

This presentation has been a brief overview of:

The **policies** in place at UNB for facilitating compliance with the Right to Information and Personal Privacy Act (RTIPPA);

The **procedures** that will assist the university community to comply with the Act; and

The some examples of **practices** that will help to ensure the policies and procedures are being followed

We are here to assist with the developing of policies that will enable the University community to comply.