

#129261

### **BOARD MEMBER CONFIDENTIALITY AGREEMENT**

As a Board Member of the St. James-Assiniboia School Division (“the Division”), I acknowledge and understand that I may/will have access to personal information and personal health information about others, including students, the confidentiality and protection of which is governed by the Freedom of Information and Protection of Privacy Act (FIPPA) and The Personal Health Information Act (PHIA), or any other applicable Acts.

I further acknowledge and understand that the St. James-Assiniboia School Division and Manitoba Education have established written policies and procedures containing provisions for the security of personal records and information in the Division’s possession during its collection, use, disclosure, storage, and destruction; provisions for the recording of security breaches; and corrective procedures to address security breaches.

I agree not to use in any manner whatsoever, at any time during or after the course of my employment with the Division any such personal information except as required to perform my job duties, unless authorized in writing by the Board prior to such use.

I further agree not to disclose to any person at any time during or after the course of my employment with the Division any such personal information except in compliance with the written policies referenced above,

I acknowledge that I am bound by the policies and procedures established by the St. James-Assiniboia School Division in accordance with these Acts and I agree to treat confidential matters as required in school division policy and by-law.

\_\_\_\_\_  
(Date signed)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name – please print)

\_\_\_\_\_  
(Position)

## FIPPA/PHIA INFORMATION SHEET

The Purpose of this Information Sheet is to remind EMPLOYEES of their obligations respecting the ACCESS, USE, and DISCLOSURE of an individual's (student or employee) personal information.

Personal information may be electronic (computer, cellular telephone, or other electronic media format) or non-electronic (paper, photographs, cassette tapes, etc.). Textual records may appear as files, documents, or data items. All personal information is subject to FIPPA and PHIA limits and protections on access, use, and disclosure.

Employees must limit access, use, and disclosure of personal information to what is necessary to perform the duties of their job. "Access" means seeing or handling information. "Use" means using information within the School Division. "Disclosure" means releasing information to an individual or organization outside the School Division.

Disclosure has the most risk of causing damage to an individual and therefore guidance must be sought from a supervisor or manager prior to any disclosure where specific consent of the individual has not, or cannot be obtained.

Accessing, using, or disclosing personal information **should not occur** except in the carrying out of authorized School Division business.

Please note:

- Unauthorized access happens when employees have access to personal information that they do not need to see or handle to accomplish School Division business.
- Unauthorized use happens when personal information is used for a purpose that is not permitted under FIPPA and PHIA.
- Unauthorized disclosure happens when personal information is made known, revealed, exposed, shown, provided, sold or given in circumstances that are not permitted under FIPPA and PHIA. Unauthorized disclosure may happen verbally, through the provision of electronic copies, or by other means.

*The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act* are provincial laws. All employees of the School Division must comply with these laws.

FIPPA places limits on access, use and disclosure of personal information. "**Personal information**" incorporates fourteen broad categories of information. (See definition of "**Personal information**" below.)

PHIA places strict limits on access, use and disclosure of health information. "**Health information**" is any information about an individual's health or health care, including the individual's PHIN number. (See definition of "**Health information**" on page 2.)

If you have questions please contact the FIPPA/PHIA Coordinator.

**The Freedom of Information and Protection of Privacy Act**

**Definition of “Personal Information”**

“**Personal information**” means “**recorded information**” about an identifiable individual, including:

- a) The individual's name,
- b) The individual's home address, or home telephone, facsimile or e-mail number,
- c) Information about the individual's age, sex, sexual orientation, marital or family status,
- d) Information about the individual's ancestry, race, colour, nationality, or national or ethnic origin,
- e) Information about the individual's religion or creed, or religious belief, association or activity,
- f) Personal health information about the individual,
- g) The individual's blood type, finger prints, or other hereditary characteristics,
- h) Information about the individual's political belief, association or activity,
- i) Information about the individual's education, employment or occupation, or educational, employment or occupational history,
- j) Information about the individual's source of income or financial circumstances, activities or history,
- k) Information about the individual's criminal history, including regulatory offences,
- l) The individual's own personal view or opinions, except if they are about another person,
- m) The views or opinions expressed about the individual by another person, and
- n) An identifying number, symbol or other particular assigned to the individual.

Clauses (a) to (n) of the definition “**personal information**” list examples of **personal information**. This list is not exhaustive, as the word “including” is used; clauses (a) to (n) do not set out the only information which is “personal information”.

“**Record**” or “**recorded information**” means a record of information in any form, and includes information that is written, photographed, recorded or stored in any manner, on any storage medium or by any means, including by graphic, electronic or mechanical means, but does not include electronic software or any mechanism that produces records.

**The Personal Health Information Act**

**Definition of “Personal Health Information”**

“**Personal health information**” means “**recorded information**” about an identifiable individual that relates to:

- a) the individual's health or “**health care**” history, including genetic information about the individual,
  - b) the provision of health care to the individual, or
  - c) payment for health care provided to the individual,
- and includes

- d) the “**PHIN**” and any other identifying number, symbol or particular assigned to an individual, and
- e) any identifying information about the individual that is collected in the course of, and is incidental to, the provision of health care or payment for health care.

“**Health care**” means any care, service or procedure:

- a) provided to diagnose, treat or maintain an individual's physical or mental condition,
- b) provided to prevent disease or injury or promote health, or
- c) that affects the structure or a function of the body,

and includes the sale or dispensing of a drug, device, equipment or other item pursuant to a prescription.

**"PHIN"** means the personal health identification number assigned to an individual by the minister to uniquely identify the individual for health care purposes.

**"Record"** or **"recorded information"** means a record of information in any form, and includes information that is written, photographed, recorded or stored in any manner, on any storage medium or by any means, including by graphic, electronic or mechanical means, but does not include electronic software or any mechanism that produces records.