



PRIVACY ACCESS AND SECURITY

Purpose

The Alberta Access to Information Act ("ATIA") ensures individual right of access to information and protects the personal information of the public, and employees of public bodies operating in Alberta. Holy Spirit Catholic School Division is bound by the requirements of the Protection of Privacy Act ("POPA") and collects, uses, and discloses personal information in accordance with its provisions. This Administrative Procedure establishes the principles and processes for managing Holy Spirit Catholic School Division information in compliance with ATIA and POPA.

Scope

This applies to:

1. Holy Spirit Catholic School Division employees, including directors, officers, contractors, students, and volunteers providing services on behalf of Holy Spirit Catholic School Division;
2. All recorded information, in whatever form or medium (paper, digital, audio-visual, graphic) created or received in the course of carrying out Holy Spirit Catholic School Division's mandated functions and activities; and
3. All facilities and equipment required to collect, manipulate, transport, transmit, or keep Holy Spirit Catholic School Division information

Goals and Principles

Holy Spirit Catholic School Division is committed to providing full informational accountability and to protecting the privacy of individual citizens and its employees. To that end, Holy Spirit Catholic School Division has implemented a privacy and access program to meet the following goals and principles:

1. **PROGRAM ACCOUNTABILITY**

Holy Spirit Catholic School Division designates a position and individual who is accountable for implementing and maintaining access to information and privacy for information under the custody or control of Holy Spirit Catholic School Division.

2. **OPENNESS**

Holy Spirit Catholic School Division develops and follows access, privacy and security policies and practices that are compliant with legislation. Such policies and practices are publicly available.

3. **COLLECTION OF PERSONAL INFORMATION**

Holy Spirit Catholic School Division collects personal information only for authorized purposes and collects the least amount of personal information with the highest degree of anonymity required for the authorized purpose.

4. IDENTIFYING PURPOSES

When collecting personal information directly from an individual, the individual is informed of the purpose for which the information is collected.

5. LIMITED USE, AND DISCLOSURE OF PERSONAL INFORMATION

Personal information is only used and disclosed in accordance with the purpose for which it was collected, unless alternate use or disclosure is authorized or required by law, or with the knowledge and consent of the subject individual.

6. ACCURACY

Holy Spirit Catholic School Division makes all reasonable efforts to ensure that both general information and personal information created or received by Holy Spirit Catholic School Division is accurate and complete. Individuals who believe there is an error or omission in their personal information have a right to request correction or amendment of the information.

7. RIGHT OF ACCESS

Individuals have a right of access to all information, including personal information about themselves, that is in Holy Spirit Catholic School Division custody or control, subject to limited and specific exceptions.

8. SAFEGUARDS

Holy Spirit Catholic School Division protects personal information in its custody or control by deploying security measures and practices to prevent unauthorized access, collection, use, disclosure, copying, modification, disposal, or destruction.

9. COMPLIANCE CHALLENGES

Individuals are encouraged to bring any concerns or issues regarding privacy and access at Holy Spirit Catholic School Division to the Privacy and Access Officer for discussion and response. The Privacy and Access Officer will investigate and respond to the individual. Individuals may appeal to the Information and Privacy Commissioner of Alberta to review or investigate Holy Spirit Catholic School Division right of access or correction responses, or any policies or practices that they feel are not in compliance with legislative requirements.

QUALITY CONTROLS AND ASSURANCE

1. ADMINISTRATIVE PROCEDURE REVIEW

- a. Holy Spirit Catholic School Division reviews Privacy, Access and Security procedures annually to ensure that they are effective and align with legislative, regulatory or Holy Spirit Catholic School Division functional developments and changes.

2. TRAINING AND COMMUNICATION

- a. All Holy Spirit Catholic School Division employees are provided with regular training resources to ensure they adequately understand and can implement all aspects of the Privacy, Access and Security program.
- b. Training resources are reviewed annually to ensure that they are effective and align with legislative, regulatory or Holy Spirit Catholic School Division functional developments and changes.

3. PRIVACY, ACCESS, AND SECURITY MONITORING AND ASSESSMENT

- a. Systems, circumstances, practices or repositories that pose a potential risk or gap in standards relating to the privacy, accessibility, usability, integrity, retention, continuity, and security of Holy Spirit Catholic School Division information are identified, monitored and assessed to determine the extent of the risk and the mitigation required.
- b. Holy Spirit Catholic School Division has established requirements for audit logging, monitoring and review of electronic systems that collect, use, disclose or store personal information, data derived from personal information and non-personal data.

4. PERSONAL INFORMATION BANKS

- a. Holy Spirit Catholic School Division creates and maintains a directory of the personal information banks under its custody and control.
- b. Holy Spirit Catholic School Division publishes the directory of its personal information banks, either in printed or electronic form, and makes it available to the public.
- c. The personal information bank directory includes:
 - a. the title of the personal information bank;
 - b. the location of the personal information bank;
 - c. a description of the types of personal information included;
 - d. a description of the categories of individuals whose personal information is included;
 - e. the authority for collecting the personal information;
 - f. the purposes for which the personal information was collected or compiled; and,
 - g. the purposes for which the personal information may be used or disclosed.
- d. If personal information is used or disclosed for a purpose other than the one described in the directory, Holy Spirit Catholic School Division
 - a. keeps a record of the purpose and connects that record to the personal information; and,
- e. updates the directory to include the new purpose in the next publication of the directory

1. PRIVACY IMPACT ASSESSMENTS

- 1. Privacy Impact Assessments (PIAs) are completed for any systems, programs, services, projects or practices that introduce significant new or expanded collection, use, disclosure, processing or security exposure of personal information.
- 2. The introduction of, or change to, a system, program, service, project or practice is considered significant if:
 - a. the loss of, unauthorized access to or unauthorized disclosure of the personal information involved could result in significant harm;
 - b. it involves highly sensitive information;
 - c. it involves personal information of a significant percentage of the Holy Spirit Catholic School Division's service population;

- d. there is data matching of personal information with an external electronic information repository;
 - e. it is part of a common or integrated service or program;
 - f. the technology used is innovative; or
 - g. the administrative, technical, or physical measures and systems being proposed represent an additional risk to the privacy of individuals.
3. Any projects or changes of such nature are reported to the Privacy and Access Officer, who is responsible for completing the PIA.
 4. PIA content standards follow requirements set by the Office of the Privacy Commissioner of Alberta. The PIA is completed, submitted, and accepted by the Office of the Privacy Commissioner of Alberta before the project is implemented.

ROLES AND RESPONSIBILITIES

1. HEAD

- a. Unless otherwise delegated, the Head of Holy Spirit Catholic School Division is responsible for all obligations and discretionary decision-making under ATIA and POPA.
- b. The Head of Holy Spirit Catholic School Division is recognized as the Superintendent of Schools, or officer designated by the governing board.
- c. The Head has delegated powers, duties and obligations under ATIA and POPA to the Privacy and Access Officer in accordance with the functions and activities set out in 2, below.

2. PRIVACY AND ACCESS OFFICER (PAO)

The PAO is delegated by the Head to be responsible for the overall management and coordination of privacy, security and access to information at Holy Spirit Catholic School Division in accordance with the delegation order. The PAO is responsible for following functions and activities:

PROGRAM MANAGEMENT

- a. Ensuring that privacy, access and security program policies and procedures are developed, maintained, and updated, compliant with legislation.
- b. Developing and completing quality assurance processes for implementation of Holy Spirit Catholic School Division organization privacy and access management.
- c. Providing training and resources so that Holy Spirit Catholic School Division employees, volunteers and contracted personnel are fully knowledgeable of their privacy and access duties, roles, responsibilities and practices in compliance with procedures and legislation.
- d. Representing Holy Spirit Catholic School Division in dealings with third parties, the provincial government, and the Office of the Privacy Commissioner of Alberta, as necessary.

RIGHT OF ACCESS, CORRECTION, AND COMPLAINTS

- a. Responding to requests for access to information including, as necessary, assessment of fees, time extensions, disregarding requests, transfer of requests, duty to assist applicants, application of exceptions, third party notifications and public interest disclosure notice.
- b. Responding to requests for correction of personal information, including, as necessary, transfer of requests, correcting personal information, annotating personal information, notifying recipients.
- c. Responding to requests for review of the handling of an access request or a privacy complaint including, as necessary, complaint submission, duty to assist the applicant, communicating with the OIPC, investigation, and responding to the applicant.

PRIVACY AND SECURITY

- a. In consultation with Holy Spirit Catholic School Division employees, providing advice, interpretation and implementation of applicable legislation regarding personal information, including release / non-release, collection, use and disclosure of personal information.
- b. Maintaining the security, protection and accuracy of personal information in the custody or control of Holy Spirit Catholic School Division in compliance with legislation and administrative procedure.
- c. Directing the response to privacy breaches of personal information at Holy Spirit Catholic School Division and its facilities in line with legislation and the Privacy Breach Response Procedure.
- d. Completing Privacy Impact Assessments (PIAs) for Holy Spirit Catholic School Division for project-specific personal information systems and practices.
- e. Developing and maintaining a directory of Personal Information Banks and other registries required for identifying and tracking the collection, use, disclosure and security of personal information.

3. TRUSTEES, SUPERINTENDENT

Senior Management and the Board of Trustees are responsible for ensuring that information governance procedures and practices in Holy Spirit Catholic School Division are aligned with governing mandates, standards, and planning.

4. INFORMATION TECHNOLOGY MANAGEMENT

IT Management, in coordination with the PAO, for all systems, networks and applications:

- a. implements and deploys privacy and security measures;
- b. completes risk and mitigation assessments;
- c. monitors and detects security threats;
- d. assists in the response to privacy breaches.

5. MANAGEMENT, PRINCIPALS

Department Managers and Principals are responsible for implementing privacy and security policies and practices within their functional areas and are accountable for adherence to all policies by their employees and contracted third parties. Management:

- a. supports their employee's awareness of and training on privacy and security policies and procedures;
- b. implements privacy and security standards and processes in compliance with as they relate to information repositories and operational functions and activities of their area;
- c. provides appropriate resources and facilities as needed to support the implementation of privacy and security procedures in the department;
- d. refers all formal right of access requests for information to the PAO;
- e. cooperates and assists in locating and retrieving departmental information relevant to right of access requests;
- f. reports gaps in privacy, access and security procedures affecting their areas to the PAO;
- g. reports any new information repositories or data systems that require registration, assessment, and security classification to the PAO.

6. ALL HOLY SPIRIT CATHOLIC SCHOOL DIVISION EMPLOYEES, AND SERVICE PROVIDERS

All Holy Spirit Catholic School Division employees and service providers are responsible for implementing privacy and security for all information they create and receive as part of their functions and activities. Employees:

- a. make themselves aware of and adhere to information governance policies and standards;
- b. at the time of hire or engagement complete an oath of confidentiality;
- c. capture, manage, access, release and protect information in their custody or control according to information governance procedure;
- d. access, release and protect information in their custody or control according to procedure;
- e. refer to the PAO all decisions about collection, use, disclosure, and access that are not clearly directed by the administrative procedure;
- f. report all suspected breaches to personal information to the PAO immediately upon discovery;
- g. identify and report information security incidents to the appropriate management according to privacy breach procedures.

TERMS AND DEFINITIONS

AI Inference

The process by which a trained AI model takes input data and produces an output, based on conclusions and reasoning.

Artificial Intelligence Service (AI Service)

Computer programs and applications that complete tasks and generate information that normally requires human intelligence such as evaluation, problem-solving, reasoning, and decision-making, using machine-based learning. Also considered an automated system.

Authorized Representative

Any person who can exercise the rights or powers of an individual. This includes the right of access to an individual's personal information and the power to provide consent for disclosure of such information. This may include:

- a. An executor or administrator of the estate of an individual who is deceased, for purposes of administering the estate
- b. A guardian or trustee of a dependent adult, according to appointment under law
- c. An agent under a personal directive, in accordance with the directive
- d. An individual who is acting under specific provisions of a power of attorney
- e. A guardian of a minor under 18 years of age, excluding mature minors, if the exercise of the rights or powers of the guardian would not be an unreasonable invasion of the personal privacy of the minor
- f. An individual acting with the written authorization of an individual

Collection

To gather, acquire or obtain personal information about an individual, from any source, including third parties.

Common or integrated service or program

A program or service planned, administered, delivered, managed, monitored or evaluated by Holy Spirit Catholic School Division working collaboratively with one or more other public bodies or another public body working on behalf of Holy Spirit Catholic School Division or Holy Spirit Catholic School Division and one or more other public bodies.

Confidentiality

A condition or status in which collection, use, or disclosure of information is restricted to specific persons for specific purposes. When and how the collection, use and disclosure restrictions are applied and maintained are defined by legislation and administrative procedure.

Consent

Informed agreement by an individual to the use or disclosure of their own personal information held by a public body, which can be revoked by the individual at any time.

Custody or Control

Custody is the effective physical possession of information; control is responsibility and accountability for making decisions about the handling of information, regardless of whether Holy Spirit Catholic School Division has custody of the information. Holy Spirit Catholic School Division has control over any information that any of its officials, employees, or service providers has created or received as part of their mandated functions and activities, regardless of the location of the information or the time of collection, use, or disclosure.

Data Derived from Personal Information

Data created or derived from data matching that identifies individuals whose personal information was used in the data matching process. May include AI Inferences.

Data Matching

Linking of personal information between 2 or more databases or other electronic sources of information.

Disclosure

Giving access to or making the personal information in Holy Spirit Catholic School Division' custody or control available to a person or organization external to Holy Spirit Catholic School Division.

Employee

All employees, including board members, directors, officers, contractors, students, and volunteers providing services on behalf of Holy Spirit Catholic School Division.

External Networked Source

Interconnected computer networks, such as the internet, that contain information for which Holy Spirit Catholic School Division has little to no control over content creation, integrity or disclosure.

High Sensitivity Information

Personal information about an individual that is:

- a. Biometric information
- b. Financial information
- c. Personal information about a minor, senior or vulnerable person

Individual

Any person, living or deceased, regardless of residency, citizenship, or status. In addition, the authorized representative of the individual.

Large Language Model (LLM)

The language model of an AI Service that has been trained using vast amounts of data to learn patterns and language that generate human-like inferences.

Law Enforcement

Policing, including criminal intelligence operations, security or administrative investigation that leads or could lead to a penalty or sanction.

Mature Minor

An individual under the age of 18 who has the capacity to make their own decisions about

significant matters affecting them, demonstrated by their independence, psychological stability, intellectual capacity, and/or life situation. In the case of privacy, the guardian of a mature minor would not be considered their authorized representative.

Notification

An explanation of policies, procedures, consequences, and risks related to the collection, use or disclosure of an individual's personal or personal employee information. Holy Spirit Catholic School Division must properly inform and notify individuals and employees that personal information is being collected, the purposes for which it is being collected, and who may be contacted at Holy Spirit Catholic School Division if an individual has questions about the management of their personal information.

Non-personal Data

Data, including data derived from personal information and synthetic data, that has been generated modified or anonymized so that it does not identify any individual.

Personal Employee Information

Personal information collected, used, or disclosed solely for the purposes of establishing, managing, or terminating an employment or volunteer relationship.

Personal Information

Information about an identifiable individual including:

- a. Name
- b. Address, telephone, email, or contact information*
- c. Race
- d. National or ethnic origin
- e. Colour
- f. Religion
- g. Political beliefs or associations
- h. Age
- i. Sex
- j. Marital status
- k. Family status
- l. Identifying numbers
- m. Fingerprints or blood type
- n. Educational, financial, employment, criminal records
- o. Opinions about the individual
- p. Individual's personal views or opinions (except opinions about others)

** Home or business address, telephone, email or other contact information of an employee of a public body, or any individual is not personal information, if it is provided on behalf of the employer in the individual's capacity as employee or agent.

Personal information under ATIA and POPA that is not normally excepted from disclosure:

- a. Opinions contained in work product
- b. Classification, salary range, discretionary benefits, or employment responsibilities of public body employees
- c. Financial and other details of a contract to supply goods or services to a public body
- d. Information about a license, permit, financial or other discretionary benefit granted to an individual by a public body
- e. Information is about an individual who has been dead for 25 years or more
- f. Information is about an individual's enrolment at a school, attendance at a public event, or receipt of an award granted by a public body

Personal Information Bank (PIB)

An information repository that is organized or retrievable by an individual's name or other identifier.

Privacy Impact Assessment (PIA)

A review and explanation of proposed changes in practices, programs or information systems affecting the collection, use, disclosure, or security of personal information under the custody or control of a public body. At the early stages, the PIA will identify practices and risks that should be addressed, amended or mitigated before implementation of the program or system.

Prompt

A cue, instruction, or question given to an AI Service to elicit a response, action, or creative output.

Reasonable Security Arrangements

Administrative, physical and technical safeguards to protect personal information, data derived from personal information and non-personal data in the custody or under the control of Holy Spirit Catholic School Division that are appropriate and proportional with the security classification level of the information and in the case of non-personal data, ensure to the extent possible, that the identity of the an individual who is the subject of non-personal data cannot be re-identified from the data.

Record

Information in any form, including any electronic record or other record in any form in which information is contained or stored, including information in any written, graphic, electronic, digital, photographic, audio or other medium, but does not include any software or other mechanism used to store or produce the record.

Research

Academic, applied, or scientific research, excluding internal program or quality improvement assessments, that necessitates the use of individually identifying personal information.

Severing

In a right of access request, separating or hiding/redacting information in a document that should or cannot be released so that the remainder of the document can be disclosed.

Significant Harm

Harm that results from the unauthorized access, disclosure, or loss of personal information, including:

- a. Bodily harm
- b. Humiliation
- c. Damage to reputation or relationships
- d. Loss of employment or business or professional opportunities
- e. Identify theft
- f. Diminished insurability
- g. Diminished credit
- h. Loss of property or legal status
- i. Loss of finances

The following factors are also considered in determining the significance of harm:

- a. It is reasonably believed that the information has been or will be misused
- b. The unauthorized access, disclosure or loss was the result of malicious intent
- c. The personal information is sensitive
- d. Existing mitigating factors reduce the risk of significant harm

Third Party

A person, a group of persons or an organization other than the applicant making an access request, or other than the employees and officials of Holy Spirit Catholic School Division.

Use

Use of information by Holy Spirit Catholic School Division employees for an authorized purpose that is authorized by administrative procedure or law.

References

Access to Information Act (ATIA)
Protection of Privacy Act (POPA)