

Complete Policy Title:

Policy for the Handling of Personal Information

Approved by:

President

Policy Number (if applicable):

Date of Most Recent Approval:

Date of Original Approval(s):

June 16, 2015

Supersedes/Amends Policy dated:

Responsible Executive:

University Privacy Officer

Enquiries:

[University Secretariat](#)

DISCLAIMER: *If there is a Discrepancy between this electronic policy and the written copy held by the policy owner, the written copy prevails*

Scope and Purpose

This Policy applies to all McMaster University faculty, staff and students when handling personal information on behalf of the institution.

The purpose of this Policy is to ensure that personal information in the University's custody or control is collected, used and disclosed in accordance with the relevant legislation. McMaster University is committed to protecting the privacy, confidentiality and security of all personal information that has been entrusted to us. McMaster University provides this protection, in part, by complying with Ontario's *Freedom of Information and Protection of Privacy Act* (FIPPA), RSO 1990. That Act establishes rules concerning the collection, use and disclosure of personal information (PI).

Ultimate accountability for compliance with privacy principles rests with the University President, although other individuals within McMaster University are responsible for the day-to-day collection and processing of personal information.

The University's Privacy Officer is delegated to act on behalf of the University President with respect to the oversight of privacy and compliance with the legislation across the University.

Each business unit is responsible to protect the privacy of personal information in its custody or control. Personal information that has been transferred to an agent of McMaster University must be protected through the use of contractual or other means.

McMaster University has implemented policies and guidelines to give effect to this Policy and the principle of accountability.

Collection of Personal Information

Personal information collection must comply with the *McMaster University Statement on Collection of Personal Information and Protection of Privacy (NOC)*. In addition, personal information collection must comply with the following:

- The information collected must be necessary to fulfill a legitimate University activity;
- The information collected must be the minimum amount necessary for the purpose;
- The information must be collected directly from the individual or if indirectly, with the clear knowledge and authority of the individual;
- The owner of the information must be advised (through a notice) as to the authority for the collection, the main purposes for the collection and whom to contact if there are any questions about the collection. If the information is collected on a form, this notice should be on the form or provided as a link;
- Personal information collections that do not comply with this Policy must be brought to the attention of the university's Privacy Officer.

Use or Disclosure of Personal Information

Personal information use and disclosure must comply with the *Freedom of Information and Protection of Privacy Act (FIPPA)* and with University policy. In addition, personal information use and disclosure must comply with the following:

- Personal information should be used and/or disclosed only for the purpose for which it was collected, for established university functions, or with consent of the individual;
- Personal information should only be used and/or disclosed within the University to officers, employees and third parties who need the information to carry out their duties and if the disclosure is necessary and proper in the discharge of the University's functions;
- Personal information should not be disclosed outside of the University without clear legal authority or the permission of the owner to do so;
- When uncertain whether a use or disclosure of personal information is permitted, contact the University Privacy Office.

Safeguarding Personal Information

McMaster University is committed to the protection of personal information in all its forms (electronic, paper, verbal, or other) throughout its life cycle (origination, entry, processing, distribution, storage and disposal) for authorised access, modification, disclosure, or destruction.

The nature of safeguards will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information and the method of storage.

The methods of protection will include:

- Physical measures – locking filing cabinets and restricted access to offices;
- Organisational measures – confidentiality agreements;
- Technological measures – passwords, secure computer networks and audits.

McMaster University makes its employees aware of the importance of maintaining the confidentiality of personal information by using confidentiality agreements and by providing privacy education and privacy awareness campaigns.

Care will be taken in the disposal or destruction of personal information to prevent unauthorised access to the information.

Definitions

Collection means actively or passively acquiring, gathering or receiving personal information either directly or through a third party.

Consistent Purpose means one which is reasonably compatible or “consistent” with the original purpose of the collection as stated in the University’s NOC or in the notice of collection provided at time of collection.

Disclosure means allowing access to personal information to others beyond the original collector for purposes that are consistent with the stated collection purpose or with permission of the individual or to comply with a law.

Employees means faculty, staff and students with official University records functions.

Informational (data) privacy means that an individual is the ultimate owner of his or her personal information and that the collection, use and disclosure of an individual’s personal information should remain under the control of that individual to the greatest extent possible. Control implies knowledge of the purpose of the collection and either informed consent by the information owner for the collection or a legal authority for the collecting organization to collect.

Legal Authority means that the University has the right to collect the personal information under laws such as the *McMaster University Act (1976)*; its related by-laws, rules, regulations and resolutions or other statutes granting powers to the University.

Notice of Collection (NOC) means the formal notice required by law to be given when personal information is collected. This notice consists of three items: 1) the legal authority for collection; 2) The purpose(s) of the collection and 3) contact information for someone who can answer questions about the collection.

Personal Information means any recorded information about an identifiable individual as defined by section 2 of the Freedom of Information and Protection of Privacy Act (FIPPA) which may also include personal health information defined in the Personal Health Information Protection Act (PHIPA). The information may relate to the identifiable individual either directly or indirectly. Under FIPPA, personal information must be kept for at least 1 year after last use unless permission for destruction has been granted by the individual to whom the information relates, or by the University Privacy Officer.

Third parties means outside groups such as contractors or authorized visitors.

Use means the active utilization of personal information to fulfill a legitimate University activity consistent with the law or stated collection purposes.

Related Documents:

Background Check Policy
Privacy Breach Protocol
Electronic Mail Protocol for Personal Information and Personal Health Information
Portable Storage Device Policy
Guideline for Verifying Identity
McMaster Statement of Information Practices