Nicola Similkameen School District

Administrative Procedure 102

PRIVACY MANAGEMENT PROGRAM COMPLAINTS

Purpose

To provide guidance for filing a complaint regarding the Privacy Management Program and the school district's compliance with the Freedom of Information and Protection of Privacy Act (FIPPA).

Guidelines

1. The school district holds the responsibility to ensure personal or private information is collected, used, or disclosed in accordance with FIPPA. Individuals have the right to file a complaint if they determine the school district is not managing their personal information in accordance with FIPPA. A complaint may include reference to:
    a. Unauthorized collection of their personal information;
    b. Unauthorized use of their personal information;
    c. Unauthorized disclosure of their personal information;
    d. Inadequate security of their personal information; or
    e. Refusal to correct or annotate records containing their personal information.

2. The school district also holds the responsibility for responding to requests to access information in accordance with FIPPA. A complaint may include:
    a. The failure of the school district to make a reasonable effort to assist with the access to information request;
    b. The failure of the school district to adequately search for the records requested;
    c. A fee assessed by the school district regarding the search for the records;
    d. The refusal to waive the fee assessed;
    e. The unauthorized extension of time taken by the school district to respond to the request to access information.

General Procedures

1. An individual may submit a complaint in writing to the privacy officer (Director of Human Resources).
    a. The complaint should include as much detail as possible to assist with understanding the complaint.
    b. The privacy officer must review and respond to the complaint within 30 business days,
        i. providing clarification on the legal authority used to take the actions taken; or
        ii. providing information on any corrective actions taken, considering the complaint.
    c. The response to the complainant must include information on submitting a complaint to the Office of the Privacy Commissioner, if not satisfied with the response from the school district.

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