



PACIFIC COAST UNIVERSITY
FOR WORKPLACE HEALTH SCIENCES

Privacy – Policy 255

The University respects student and employee privacy and takes responsibility for personal information under its control. The University is committed to providing all individuals who belong to the University Community, be that as students, faculty, staff, applicants or potential applicants (“Individuals”) with every opportunity to enjoy the benefits associated with belonging to this vibrant and innovative community.

This Policy explains how the University collects, uses and discloses the Personal Information that may be provided to it by students, staff, faculty, applicants and potential applicants. Responsibility for ensuring compliance with this Policy rests with the Registrar, who may designate one or more persons to be accountable for compliance with this Policy. Other individuals within the University Community may be delegated to act on behalf of these designated persons. On request, the University shall make known the title and names of those persons designated to oversee compliance with this Policy.

This Policy outlines the principles and practices the University will follow in order to protect Personal Information. The University will ensure the accuracy, confidentiality and security of Personal Information, and will follow the legal requirements to allow one to request access to and correction of that Personal Information.

Protecting Personal Information is one of the University’s highest priorities. Accordingly, the University manages the collection, use, and disclosure of Personal Information utilizing best practices as derived by British Columbia’s *Personal Information Protection Act*, SBC, 2003, c. 63 as amended (“PIPA”).

In the normal course, the University will inform an Individual whose Personal Information it collects, why and how, this Personal Information is being collected, used and disclosed. The University will obtain an Individual’s consent when such consent is required, and will manage Personal Information in a manner that is consistent with PIPA and that a reasonable person would consider appropriate in all circumstances.

In compliance with PIPA’s requirements, this Policy outlines the principles and practices that will be followed to protect Personal Information sought and/or held by the University. The University is committed to ensuring the accuracy, confidentiality, and security of Personal Information.

The University’s policies on Authenticity and Accuracy of Student Transcripts, Computer Usage and Confidentiality and Security of Student Records comply with this policy.

Appeals that arise under the Academic Appeals and Complaints, Code of Conduct, Computer Usage, Employee Appointments, Prevention of Harassment and Discrimination, Intellectual Property and Copyright, Integrity in Research and Scholarship and Library policies are not heard under this policy.

Related Policy

Academic Appeals and Complaints
Authenticity and Accuracy of Student Records
Confidentiality and Security of Student Records
Computer Usage
Donations
Dispute Resolution
Financial Aid for Students



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Definitions

Collection means the act of gathering, acquiring or obtaining Personal Information from any course, including third parties, by any means.

Contact information means information that would allow an individual to be contacted at their place of business. This includes the individual's name, position, title, business telephone number, business address, business email address or business fax number. Contact information is not covered by this Policy or by PIPA.

Consent means the voluntary agreement to the collection, use or disclosure of Personal Information for reasonable purposes, which are made known to the individual. Consent can be express or implied. Express consent can be oral or written but is always unequivocal. Implied consent is consent that can be reasonably inferred from the action or inaction of an individual.

Disclosure means making Personal Information available outside the University.

Personal Information means information about an identifiable individual including, without limitation, name, age, home address and phone number, social insurance number, marital status, income, credit history, medical information, educational history or employment history. Personal Information does not include the person's name, position, title, business telephone number, business address, business email or business fax number. It also does not include Work Product Information of the individual.

Privacy Officer means an individual or individuals designated by the University who is responsible for ensuring that the University complies with this Policy and PIPA.

Work Product Information means information that is prepared or collected by an employee as part of that employee's work responsibilities. Work Product Information does not include information about an individual who did not prepare or collect the information.

University means Pacific Coast University for Workplace Health Science, a corporation established under the Act.

University Community includes members of the Board of Governors, members of the Academic Council, members of the International Research Advisory Council, students, employees, contractors and volunteers associated with the Pacific Coast University for Workplace Health Sciences.

Use means the treatment, handling, management and retention of Personal Information within the University.

Regulations

The University reserves the right to amend this Policy from time to time to ensure that the Policy is kept current and in compliance with PIPA and other relevant laws and legislation.

Please note that this Policy does not impose any limits on the collection, use or disclosure of Personal Information that:

- is covered by one of the exemptions in sections 12, 15 and 18 of PIPA with respect to the collection, use and disclosure of Personal Information without consent;
- was collected prior to January 1, 2004 where the Personal Information is used and disclosed in order to fulfill the same reasonable purposes for which it was collected; or



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- is covered by or subject to the *Freedom of Information and Protection of Privacy Act* or *The Federal Access to Information and the Privacy Act*.

This Policy applies to Personal Information that the University collects through its website (the "Website"). However, the Website may contain links to other entities' websites that are not controlled or operated by the University. This Policy does not apply to third party websites, and the University is not responsible for the content of third party websites or the privacy practices of third parties. Therefore, the University encourages the user to request and review the privacy policies of any third parties on disclosing information to such parties or visiting such third party websites.

Unless the purposes for which the University collects Personal Information are obvious and the Individual voluntarily provides his or her Personal Information for those purposes, the University will communicate the purposes for which Personal Information is being collected, either verbally or in writing, before or at the time of collection.

The University will only collect Personal Information that is necessary to fulfill any one or more of the following (or similar or related) purposes:

- To verify identity;
- To send information related to membership or prospective membership, whether as a student, an employee or faculty, in the academic community of the University;
- To assess an individual's suitability for admission or continued attendance at the University including his or her academic abilities, academic history and suitability;
- To enroll a student or prospective student in an academic program;
- To assess an individual's suitability for employment at the University;
- To manage an employee at the University;
- To identify and manage an individual's preferences;
- To understand an individual's financial needs;
- To open and manage an account;
- To deliver requests of services and/or products;
- To provide or arrange for the provision of medical and/or comparable services to a member of the University Community;
- To contact members of the University Community and others for fundraising purposes;
- To ensure that the University maintains a high standard of service and provides such service to all members, and prospective members, of the University Community;
- To meet regulatory requirements;
- To identify, collect and process fees paid, or payable, to the University including and without limitation tuition and student fees;
- To verify credit worthiness;
- To promote the University generally as an academic institution or employer; and
- To promote the University's educational, social opportunities activities and achievements to the students, employees, faculty and, as appropriate, the general public.

The University will identify and document the purposes for which Personal Information is collected either before or at the time it is collected.

Consent on the Web

Consent can be provided in a variety of different means as noted in this Policy. Consent may also be implied where one is giving notice and a reasonable opportunity to opt out of Personal Information being used or disclosed and one does not elect to opt out.



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The University will collect Personal Information through its Website only if and when an Individual chooses to complete online forms to contact the University, to make an application to join the Community either as a student, as staff or as faculty, to sign up for the email list, to provide design or product feedback or to request information and assistance through the Website. Personal Information Collected through these sections of the Website may include an Individual's name, user name, password, email address, address, telephone number and any other personally identifiable information that one chooses to provide. By providing this Personal Information an Individual represents and warrants that he or she has the right and authority to provide all such information. By submitting Personal Information to the University via the Website, an Individual agrees that the University may collect, use and disclose that Personal Information in accordance with this Policy and/or as permitted or required by law.

In determining the appropriate form of consent (i.e. express or implied), the University will take into account the sensitivity of the Personal Information in question. When collecting Personal Information of a sensitive nature, the University will ensure that it obtains an Individual's express consent for the collection of such information.

Subject to the Personal Information being necessary to provide the services or product or where the withdrawal of consent would frustrate the performance or legal obligation, an Individual can withhold or withdraw consent for the University to use Personal Information for particular purposes. Should an Individual choose to withdraw consent to the collection, use and/or disclosure of Personal Information, the University will advise of the consequences of such withdrawal of consent.

Consent, Generally

As with consent for information collected through the website, the University will obtain an Individual's consent to collect, use or disclose Personal Information collected via other means, except where, as noted below, the University is authorized to do so without an Individual's consent.

An Individual may choose to provide his or her consent to the collection, use or disclosure of Personal Information verbally, in writing, electronically, or through an authorized representative.

It may be implied that consent has been granted for the purpose of collecting, using or disclosing an Individual's Personal Information where consent would be considered obvious, and the affected Individual voluntarily provides his or her Personal Information for that purpose.

An Individual's consent may also be implied where that Individual is given notice of an intended use of his or her Personal Information and a reasonable opportunity has been provided to opt out of his or her Personal Information being so used.

Subject to certain exceptions, an Individual may withhold or withdraw his or her consent for the University to make use of his or her Personal Information. An Individual's decision to withhold or withdraw his or her consent to certain uses of Personal Information may restrict the University's ability to provide a particular service or product to that Individual. In such circumstances, the University will explain that situation in order to provide the requisite assistance to that individual to make an informed decision about the use, collection and/or disclosure of his or her Personal Information.

As set out above, the University may collect, use or disclose Personal Information without the Individual's knowledge or consent in limited circumstances set out as sections 12, 15 and 18 of PIPA. Some important examples of such circumstances include, but are not limited to:

- When the collection use or disclosure of Personal Information is permitted or required by law;



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- In an emergency that threatens an individual's life, health or personal security;
- When the Personal Information is available from a public source such as a telephone directory or online directory;
- When the University requires legal advice from its counsel or team of lawyers;
- For the purposes of collecting a debt;
- To protect ourselves from any allegations of fraud or from being defrauded; and
- To investigate allegations that an agreement has been breached or a law broken and, in cases of apparent urgency, to do so on an anticipatory basis.

The University will only use or disclose Personal Information where such use or disclosure is necessary to fulfill the purposes identified in this Policy and at the time that information is or was collected.

The University will not use or disclose Personal Information for any additional purposes unless the University obtains the individual's consent to do so.

To the extent that the University enters into contracts or other arrangements with third parties, which involve the transfer of Personal Information, the University will ensure that the third party enters into appropriate covenants with the University to provide the same level of protection over Personal Information.

In some cases, the University may seek prior consent for the use and disclosure of information after it has been collected, but before it is used or disclosed, for example, where the University wants to use Personal Information for a purpose not previously identified.

The University will not, as a condition of supplying products or services, require one to consent to the collection, use or disclosure of Personal Information beyond what is necessary to provide the product or service.

The University does not attempt to obtain consent for collecting, using or disclosing Personal Information by providing false or misleading information to one regarding the purposes of that collection, use or disclosure. The University will not use deceptive or misleading practices. The University will not sell, rent or lease Personal Information to third parties unless the University has obtained prior, explicit, consent to do so.

How the University uses Personal Information

If the University uses Personal Information to make a decision that personally affects an Individual, the University will retain that Personal Information for at least 12 months from the date that decision has been made. This will provide a reasonable opportunity for the affected Individual to request access to the Personal Information and, where necessary, to request that that information be amended.

Subject to this Policy, the University will retain Personal Information only for as long as it is necessary to fulfill the purposes identified in this Policy and identified when the University initially collected that Personal Information. See the University's policy on Authenticity and Accuracy of Student Transcripts and Confidentiality and Security of Student Records for specifics regarding student personal information.

Technology

The University's Website uses cookie technology which serves to make the Website more convenient. A cookie is a text file which enables this Website to store information about user activities while on the Website or the length of stay. Personal Information about visits to the Website is used on an aggregate



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basis, which means that it is used for statistical purposes to enhance online experience, or to evaluate the material provided on the Website.

A cookie is a small data file that is written to a user's hard drive when one visits a particular Website. A cookie file can contain information such as user ID that the site uses to track the pages visited. The only Personal Information a cookie can contain is information that the user supplies. A cookie cannot read data off the user's hard drive or read cookie files written to the hard drive by other websites.

Some parts of the Website use cookie technology to monitor traffic patterns. The University does this in order to determine the usefulness of the information of the Website and to see how effective the navigational structure is in allowing users to reach and obtain the information sought. The University does not correlate this information with data about individual users, nor does it share information or sell it to any third party.

One can set their browser to warn before accepting cookies and to refuse the cookie when one's browser alerts one to its presence.

Accuracy of Personal Information

The University will make reasonable efforts to ensure that all Personal Information it collects is accurate and complete.

An Individual may request that a correction be made to his or her Personal Information in order to ensure that it is accurate and complete. Such a request must be made in writing and must provide sufficient information and detail to identify the Personal Information and the correction sought. Any such request should be sent to the University's Privacy Officer.

If the Personal Information is found to be inaccurate or incomplete, the University will correct the Personal Information as required and requested and will send the corrected information to any organization to which the University has disclosed the Personal Information, in the 12 months preceding the correction. If the correction is not made, the University will note the request for the correction in the individual's file and notify the individual that in the judgement of the University, the correction is not necessary, and that the information on file is accurate and complete.

The University will make reasonable efforts to ensure that Personal Information is accurate and complete if it is likely to make a decision that affects an individual.

The University will not routinely update Personal Information. To the extent that an Individual believes that Personal Information may no longer be accurate or complete, on advice, the University will update records. A request to update Personal Information must be made in writing and must provide sufficient detail to identify the Personal Information and the correction being sought. A request to update or correct Personal Information must be forwarded to the University's Privacy Officer.

Securing Personal Information

The University is committed to ensuring the security of Personal Information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification, disposal or similar risks. The University will use appropriate security measures when collecting, storing and destroying Personal Information.



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At regular and appropriate intervals, the University will review and update its security protocols, measures and controls to reflect technological changes and to ensure the continuing security of Personal Information that it collects.

The University has implemented appropriate security safeguards to protect Personal Information regardless of the format in which it is held against loss, theft, unauthorized access, collection, use, disclosure, copying, modification or disposal.

The following is a list of the security safeguards currently in place to ensure that Personal Information is being appropriately protected:

- Physical measures (locked filing cabinets, drawers and offices);
- Organizational measures (limiting access on a “need to know” basis and requiring all of our server providers to provide comparable security measures);
- All University employees and faculty will be made aware of this privacy Policy and the importance of maintaining the confidentiality of all Personal Information;
- Technological measures (use of user IDs, passwords, encryptions and Internet firewalls); and
- When disposing of or anonymizing (redacting) Personal Information, the University will use appropriate security measures to ensure that Personal Information is not inappropriately used.

Unfortunately, no data transmitted over the Internet is ever one hundred percent secure. As a result, the University does not represent, warrant or guarantee that Personal Information will be protected against loss, misuse, interception or alteration and does not accept any liability for Personal Information submitted via the Internet, nor for any use or misuse of Personal Information.

Access to Personal Information

An individual has the right to access his or her Personal Information subject to the limited exceptions contained in section 23 of PIPA.

A request to access Personal Information must be made in writing to the University’s Privacy Officer and must provide sufficient detail to be able to identify the Personal Information being sought.

On request, the University will also advise an individual how it uses his or her Personal Information and, if applicable, to whom it has been disclosed.

An individual may be required to provide sufficient identifying information to support a request in order to enable the University to verify identify before providing access to Personal Information.

On receipt of a request, the University will make the information available within 30 working days. If the University is seeking an extension in order to respond to a request for access, the University will provide the applicant with written notice of such extension.

The University may charge a minimal fee for providing access to Personal Information. Where a fee may apply, the University will inform an Individual of the costs associated with access and provide an opportunity to decide to proceed with such a request.

In responding to an access request, the University will provide an Individual with the Personal Information under its control, information about the ways in which Personal Information has been and is



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being used by the University, and the names of the third parties to whom the Personal Information has been disclosed by the University.

If the University refuses, in whole or in part, to grant an Individual's request to access his or her Personal Information it will provide written notice of that decision. This notification will include reasons for the refusal and, in particular, the exceptions in PIPA upon which the University relies for its refusal. The University will also advise of any recourse which is available as a result of the University's refusal.

Complaints, Requests and Questions

An Individual may, at any time, request information about this Policy and the University's practices by contacting the Privacy Officer

All complaints, concerns and questions arising out of this Policy and the University's privacy practices should also be made in writing and directed to the Privacy Officer. The University has implemented an inquiry, and complaint handling procedure to receive and respond to all inquiries, complaints and questions about how Personal Information is managed.

This Policy's complaint and appeal processes will comply with the principles and procedures set out in the Dispute Resolution Policy.

Approvals and Responsibility

Approved by: Board of Governors, March 27, 2012; August 30, 2019

Revised: August 30, 2019

Responsibility: Registrar

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