



# COLLEGE OF THE NORTH ATLANTIC

## OPERATIONAL PROCEDURE

### TOPIC: PRIVACY BREACH

<b>Procedure No.</b>	CS-320-PR	<b>Division</b>	Corporate Services
<b>Supersedes</b>	n/a	<b>Board Policy Ref.</b>	GP-GR-807 & GP-RR-904
<b>Related Policy</b>	CS-320	<b>Effective Date:</b>	November 4, 2016 (R2)

## PROCEDURE

### 1.0 Legislative Context

This procedure is aligned with the requirements of the privacy legislation that applies to College of the North Atlantic. The [Access to Information and Protection of Privacy \(ATIPP\) Act, 2015](#) of Newfoundland and Labrador is the primary privacy legislation with which the college shall comply.

#### Definitions

The Office of Access to Information and Protection of Privacy      The Office of Access to Information and Protection of Privacy (ATIPP) is the College department responsible for administering the *ATIPP Act, 2015*.

College Record      A College record is information Created or received in the course of conducting college business and may be recorded or stored in any form. All college records are the property of the College.

Employee      Under the ATIPP Act, 2015, an employee is a person retained under a contract to perform services for the college.

Personal Information	Personal information is any recorded information about an individual that renders that individual identifiable.
Privacy Breach	A privacy breach occurs when there is unauthorized and/or inappropriate access to the collection, use, disclosure or disposal of personal information. A privacy breach can occur without the existence of a record.
Record	A record of information in any form including paper, electronic, audio, digital or video.

### 3.0 Roles and Responsibilities

- 3.1 All employees are responsible to:
- A. Protect personal information to which you have access to from unauthorized access, collection, use or disclosure.
  - B. Immediately report any suspected or confirmed privacy breach to his/her supervisor/manager and to the ATIPP office.
  - C. Assist in the containment of the suspected or confirmed privacy breach, where possible.
- 3.2 Supervisor and/or Department heads are responsible to:
- A. Provide access to personal information for employees only as it is required to fulfill their college job duties or responsibilities.
  - B. Promote awareness among employees of the college policies, procedures, and legal responsibilities under the *ATIPP* Act, 2015 for responding to a suspected or confirmed privacy breach.
  - C. Appropriately contain the suspected or confirmed privacy breach.
  - D. Assist the ATIPP office to contain all the relevant information about the nature of the potential or confirmed breach.
  - E. Work with the ATIPP office to identify root causes and any response actions required to prevent any future privacy breaches.
  - F. Implement any approved response actions, where identified in an effective manner and timely manner.

- 3.3 The College's ATIPP office will be responsible to:
- A. Coordinate the investigation and response to a potential or confirmed privacy breach.
  - B. Brief the Executive team on the potential or confirmed privacy breach as necessary.
  - C. Notify the appropriate external government agencies of the confirmed privacy breach, where required.
  - D. Where required, notify those individuals whose personal information has been breached.
  - E. Maintain the official college records related to a privacy breach in accordance with an approved records retention and disposal schedule.
  - F. Monitor and report on the status of the implementation of any identified response actions.
  - G. Provide privacy breach training to employees.
  - H. Review and update college privacy breach policies and procedures on a regular basis.
- 3.4 Executive members will be responsible to:
- A. Establish, implement, review, and continually improve operational procedures to:
    - Secure and protect personal information in accordance with the *ATIPP Act, 2015 for the college*.
    - Establish and implement systematic access, maintenance and appropriate disposal of College records, in accordance with an approved Records Retention and Disposal Schedule (RRDS).
- 3.5 The Vice President, Corporate Services and Chief Operating Officer and the Office of ATIPP have been delegated the primary responsibility for administering the *ATIPP Act, 2015* for the College.
- 3.6 The President is accountable for ensuring that the College is compliant with the *ATIPP Act, 2015*.

#### **4.0 Related Policies and Procedures**

- 4.1 Access to Information Requests CS-320
- 4.2 Student Records; SS-206 & SS-206-PR

- 4.3 Electronic Information System Use; IS-501 & IS-501-PR
- 4.4 Electronic Mail (Email) and Internet Usage; IS-502 & IS-502-PR
- 4.5 Personal & Confidential College Data Encryption; IS-503 & IS-503-PR
- 4.6 Mobile Computing Devices Procurement & Use; IS-504 & IS-504-PR
- 4.7 Network User Accounts; IS-505 & IS-505-PR
- 4.8 Board Policy Access to Information; GP-GR-807

**5.0 Appendices**

- 5.1 Appendix A – *Government Privacy Breach Reporting Form*
- 5.2 Appendix B – FYI - *Privacy Breach*

Approval History	
Approved by President	April 19, 2012
Revision 1	April 28, 2016
Revision 2	November 4, 2016