

**REGULATION AND PROCEDURES: Video Surveillance –
Privacy Impact Assessment Form
Form 3420A**

The original of the following Privacy Impact Assessment Form can be found at:

[http://www.cio.gov.bc.ca/cio/priv leg/foippa/pia/pia_index.page](http://www.cio.gov.bc.ca/cio/priv_leg/foippa/pia/pia_index.page)

The form below has many fields pre-filled for the specific use of video surveillance of school district properties. The following sections must be completed:

I – BASIC INFORMATION

IX – SECRETARY-TREASURER REVIEW

X - SIGNATURES



PRIVACY IMPACT ASSESSMENT

I BASIC INFORMATION - New or Existing Program, System or Legislation

1. Ministry/Public Body and Program Area.

Ministry	Education
Division	K-12
Branch/Section	School District No. 52 (Prince Rupert)
Program	Video surveillance of school property.
School/Building	

2. Contact Position and/or Name, Telephone Number and E-Mail Address. (This should be the name of the individual most qualified to respond to questions regarding the PIA).

Name, Title	
Phone Number	
E-Mail	

3. Description of the Program/System/Legislation (Initiative) being assessed.

- Background and rationale for the request.
- Description of other less intrusive alternatives already tried.
- Camera location; hours of operation; and area under surveillance.
- Location of notices advising that video surveillance is in place.

--

4. Purpose/Objectives of the initiative (if statutory, provide citation).

Controlled video surveillance can contribute to the safety of students, employees and others on all district premises and in vehicles, and to deter destructive acts, theft and/or other criminal activities.



5. **What are the potential impacts of this proposal?** (Include privacy impacts in this description).

The Board recognizes both its legal obligation to provide appropriate levels of supervision in the interests of student safety and the fact that students have privacy rights that are reduced but not eliminated while the students are under the supervision of the school. Video surveillance procedures must be respectful of issues of protection of privacy and security for all students, staff and visitors in the building.

6. **Provide details of any previous PIA or other form of personal information assessment done on this initiative (in whole or in part).**

7. **Provide details of consultation with, and support from, the School Planning Council.**

****IMPORTANT NOTE:** Recent amendments to the FOIPP Act have altered the definition of personal information from "recorded information about an identifiable individual" to "recorded information about an identifiable individual other than contact information." Contact information includes the name, title, telephone or facsimile number, email address etc., which enables an individual at a place of business to be contacted. The amendments also generally alter the definition of public body employee to include a volunteer, and extend a public body's responsibilities under Part 3 of the Act to its employees, officers and directors and to its service providers and their employees, associates or affiliates.

II DESCRIPTIVE INFORMATION

1. **Describe the elements of personal information that will be collected, used and/or disclosed and the nature and sensitivity of the personal information.**
[See note above about the amended definition of personal information.]
For example: Name, home address, gender, age/birthdate, SIN, Employee#, race/national, ethnic origin.

Video images.

2. **Provide a description (either a narrative or flow chart) of the linkages and flows of personal information collected, used and/or disclosed.**

See Regulation and Policy 3420 – Video Surveillance.
See Regulation and Policy 6710 – Records Management System

III PERSONAL INFORMATION COLLECTION

(Section 26 and section 27 of the *Freedom of Information and Protection of Privacy Act* "FOIPPA Act")

	Yes	No	n/a
Is personal information being collected?	X		

1) Authorization for Collection:

No personal information may be collected by or for a public body unless authorized under the FOIPPA Act (as covered by numbers i, ii, or iii below).

		Yes	No	n/a
i.	Has the collection of personal information been specifically authorized by, or under, an Act, other than the FOIPPA Act?		X	
	If yes, please specify the name of the Act and relevant section			
ii.	Has the personal information been collected for law enforcement purposes?		X	
iii.	Is the personal information directly related to, and necessary for, an operating program or activity of the public body?	X		

If none of the above questions has been answered "yes", your office does not have the authority under the FOIPPA Act to collect the personal information in question. Please contact your Director/Manager of Information and Privacy (DMIP) for ministries or the position responsible for FOI and Privacy Coordination (FOIPPA Coordinator).

2) How will the personal information be collected?

A public body must collect personal information or cause personal information to be collected directly from the individual the information is about, with certain specific exceptions.

	Yes	No	n/a
Will the personal information be collected <u>directly</u> from the individual that the information is about?	X		

3) Notification to collect information

A public body must ensure that an individual from whom it collects personal information or causes personal information to be collected is notified of the collection as outlined below.

		Yes	No	n/a
i.	Has the individual whose personal information is being collected, been informed of:			
	(a) the purpose for collection?	X		
	(b) the legal authority for collection?	X		
	(c) the contact information of the person who can answer questions regarding the collection?	X		

Notification is not required if the answer is “yes” to any of the following:

		Yes	No	n/a
ii.	Is the personal information about law enforcement or anything referred to in section 15(1) or section 15(2) of the FOIPP Act?		X	
iii.	Has the Minister responsible for the FOIPP Act excused your public body from complying because it would			
	(a) result in the collection of inaccurate information?		X	
	or (b) defeat the purpose or prejudice the use for which the personal information is collected?		X	
iv.	The information			
	(a) is not required, under subsection 27(1), to be collected directly from the individual the information is about, and		X	
	(b) is not collected directly from the individual the information is about			
	Additional details as required (e.g., method of notification): Posting of signs on school district premises notifying of the collection of video images.			



If you have not provided the required notification as outlined above, please contact your DMIP or FOIPP Coordinator.

IV USE OF PERSONAL INFORMATION - (Section 32 of the FOIPP Act)

	Yes	No	n/a
Is personal information being used?	X		

Under the FOIPP Act, a public body must ensure that personal information in its custody or under its control is only used for certain specified purposes as outlined below.

The public body **must** check one or more of the authorities listed below:

		Yes	No	n/a
1.	Has the individual the personal information is about consented to the use? (Note: Supporting documentation must be on file.)		X	
2.	Will the information be used only for the purpose for which it was obtained or compiled or for a use consistent with the original purposes?	X		
	Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use. <div>Controlled video surveillance can contribute to the safety of students, employees and others on all district premises and in vehicles, and to deter destructive acts, theft and/or other criminal activities.</div>			
3. *	If the personal information was disclosed to the public body under section 33, section 33.1, section 33.2, section 34, section 35 or section 36, is the information being used for that same purpose?			X
	Specify subsection(s) being applied			

If you have not checked one of the above, you do not have the authority to use the information. Please contact your DMIP or FOIPP Coordinator.

V DISCLOSURE OF PERSONAL INFORMATION

(Section 33, section 33.1, section 33.2, section 34, section 35 and section 36 of the FOIPP Act)

	Yes	No	n/a
Is personal information being disclosed?	X		

A public body must ensure that personal information in its custody or under its control is disclosed only as permitted under sections 33, 33.1, 33.2, 34, 35, and 36 of the FOIPP Act.

1) Disclosure of Personal Information

Sections 33, 33.1 and 33.2 of the FOIPP Act provide the legislative authority to disclose personal information. Section 33 provides that personal information **cannot** be disclosed unless it is authorized under section 33.1 or 33.2.

Please check the main authorization(s) for disclosure below.

(Note that the numbering is taken from sections 33.1 and 33.2 of the FOIPP Act.)

S. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
(1)(a)	In accordance with Part 2	X		
(1)(a.1)	If the information or disclosure is of a type described in section 22(4) (e), (f), (h), (i) or (j): 22(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if			
	(e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff,			X
	(f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,			X
	(h) the information is about expenses incurred by the third party while travelling at the expense of a public body,			X

S. 33.1	Disclosure inside OR outside Canada	Yes	No	n/ a
	(i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the application for the benefit, or			X
	(j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the application for the benefit or is referred to in subsection 22(3)(c).			X
(1)(b)	If the individual the information is about has identified the information and consented, in the prescribed manner, to its disclosure inside or outside Canada, as applicable (Note: Supporting documentation must be on file)	X		
(1)(c)	In accordance with an enactment of British Columbia or Canada that authorizes or requires its disclosure		X	
	Specify name of enactment and relevant section(s)			
(1)(c.1)	If the personal information is made available to the public in British Columbia under an enactment, other than the <i>Freedom of Information and Protection of Privacy Act</i> , that authorizes or requires the information to be made public		X	
	Specify name of enactment and relevant section(s)			
(1)(d)	In accordance with a provision of a treaty, arrangement or written agreement that (i) authorizes or requires its disclosure, and (ii) is made under an enactment of British Columbia or Canada			X
(1)(e)	To an individual who is a minister, an officer of the public body or an employee of the public body other than a service provider, if (i) the information is necessary for the performance of the duties of the minister, officer or employee,	X		

S.		Yes	No	n/a
33.1	Disclosure inside OR outside Canada			
	and (ii) in relation to disclosure outside Canada, the outside disclosure is necessary because the individual is temporarily travelling outside Canada		X	
	If paragraph (1)(e)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i>			
(1)(e.1)	To an individual who is a service provider of the public body, or an employee or associate of such a service provider, if (i) the information is necessary for the performance of the duties of the individual in relation to the public body,	X		
	and (ii) in relation to disclosure outside Canada, (A) the individual normally receives such disclosure only inside Canada for the purpose of performing those duties, and (B) the outside disclosure is necessary because the individual is temporarily travelling outside Canada		X	
	If paragraph (1)(e.1)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i>			
(1)(f)	To an officer or employee of the public body or to a minister, if the information is immediately necessary for the protection of the health or safety of the officer, employee, or minister	X		
(1)(g)	To the Attorney General or legal counsel for the public body, for use in civil proceedings involving the government or public body	X		
(1)(h)	To the minister responsible for the <i>Coroner's Act</i> or a person referred to in section 36 of that Act, for the purposes of that Act		X	

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/ a
(1)(i)	If			
	(i) the disclosure is for the purposes of collecting amounts owing to the government of British Columbia or a public body by			
	a. an individual, or	X		
	b. corporation of which the individual the information is about is or was a director or officer,		X	
	and			
	(ii) in relation to disclosure outside Canada, there are reasonable grounds for believing that			
	a. the individual the information is about is in, resides in or has assets in the other jurisdiction, or		X	
	b. if applicable, the corporation was incorporated in, is doing business in or has assets in the other jurisdiction		X	
1(i.1)	For the purposes of			
	(i) a payment to be made to or by the government of British Columbia or a public body,		X	
	(ii) authorizing, administering, processing, verifying or canceling such a payment, or		X	
	(iii) resolving an issue regarding such a payment		X	
(1)(j)	In the case of the Insurance Corporation of British Columbia, if (i) the information was obtained or compiled by that public body for purposes of insurance provided by the public body, and (ii) disclosure of the information is necessary to investigate, manage or settle a specific insurance claim			X
(1)(k)	For the purposes of			
	(i) licensing or registration of motor vehicles or drivers, or			X
	(ii) verification of motor vehicle insurance, motor vehicle registration or drivers licences			X

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/ a
(1)(l)	For the purposes of licensing, registration, insurance, investigation or discipline of persons regulated inside or outside Canada by governing bodies of professions and occupations			X
(1)(m)	If (i) the head of the public body determines that compelling circumstances exist that affect anyone's health or safety, and (ii) notice of disclosure is mailed to the last known address of the individual the information is about, unless the head of the public body considers that giving this notice could harm someone's health or safety	X		
(1)(n)	So that the next of kin or a friend of an injured, ill or deceased individual may be contacted		X	
(1)(o)	In accordance with section 36 (disclosure for archival or historical purposes)		X	
(1)(p)	The disclosure (i) is necessary for			
	(A) installing, implementing, maintaining, repairing, trouble shooting or upgrading an electronic system or equipment that includes an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body, or		X	
	(B) data recovery that is being undertaken following failure of an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body		X	
	and (ii) in the case of disclosure outside Canada (A) is limited to temporary access and storage for the minimum time necessary for that purpose, and (B) in relation to data recovery under subparagraph (i)(B), is limited to access and storage only after the system failure has occurred			X

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
	If paragraph (1)(p)(ii) applies, please explain how the temporary access and storage is for the <i>minimum time necessary</i>			
(2)	In addition to the authority under any other provision of this section or section 33.2, a public body that is a law enforcement agency may disclose personal information referred to in section 33			
(2)(a)	to another law enforcement agency in Canada			X
(2)(b)	to a law enforcement agency in a foreign country under an arrangement, a written agreement, a treaty or provincial or Canadian legislative authority.			X
(3)	The minister responsible for this Act may, by order, allow disclosure outside Canada under a provision of section 33.2 in specific cases or specified circumstances, subject to any restrictions or conditions that the minister considers advisable.	X		
	Additional details as required			

If you have not checked any of the above authorizations for disclosure or require clarification, you should contact your DMIP or FOIPP Coordinator.

s. 33.2	Disclosure inside Canada only	Yes	No	n/a
(a)	For the purpose for which it was obtained or compiled or for a use consistent with that purpose (see section 34)	X		
	Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use. Controlled video surveillance can contribute to the safety of students, employees and others on all district premises and in vehicles, and to deter destructive acts, theft and/or other criminal activities.			
(b)	To comply with a subpoena, warrant or order issued or made by a court, person or body in Canada with jurisdiction to compel the production of information		X	

s. 33.2	Disclosure inside Canada only	Yes	No	n/a
(c)	To an officer or employee of the public body or to a minister, if the information is necessary for the performance of the duties of the officer, employee or minister	X		
(d)	To an officer or employee of a public body or to a minister, if the information is necessary for the delivery of a common or integrated program or activity and for the performance of the duties of the officer, employee or minister to whom the information is disclosed	X		
(e)	To an officer or employee of a public body or to a minister, if the information is necessary for the protection of the health or safety of the officer, employee or minister	X		
(f)	To the auditor general or any other prescribed person or body for audit purposes	X		
(g)	To a member of the Legislative Assembly who has been requested by the individual the information is about to assist in resolving a problem	X		
(h)	To a representative of the bargaining agent, who has been authorized in writing by the employee whom the information is about, to make an inquiry	X		
(i)	To a public body or a law enforcement agency in Canada to assist in a specific investigation			
	(i) undertaken with a view to a law enforcement proceeding, or	X		
	(ii) from which a law enforcement proceeding is likely to result	X		
(j)	To the archives of the government of British Columbia or the archives of a public body, for archival purposes		X	
(k)	In accordance with section 35 (disclosure for research or statistical purposes)		X	
	Additional details as required			

2) Systematic or Repetitious Disclosure/Exchanges

		Yes	No	n/a
i.	Do the disclosures of personal information under section 33.2 occur on a regular basis?		X	
ii.	Has an Information Sharing Agreement been completed for these disclosures/exchanges?		X	
iii.	Has information related to the Information Sharing Agreement(s) been entered into the Personal Information Directory ?			X

Personal information exchanges within a public body do not normally require an Information Sharing Agreement (ISA) if they are for a consistent purpose as defined under section 33.2(a) of the Act or are necessary for the performance of an employee of the public body under section 33.2(c). However, depending on the nature and sensitivity of the personal information exchanged, the public body might choose to prepare an ISA or similar written statement of understanding.

3) Research or Statistical Purposes (Section 35)

	Yes	No	n/a
Has a researcher requested access to personal information in an identifiable form for research purposes?		X	

If “yes”, a research agreement that conforms to the criteria established in section 35(d) must be in place. Contact your DMIP or FOIPP Coordinator for assistance.

***Please note:* Research using personal information may only be conducted if it meets all of the terms of section 35.**

4) Archival or Historical Purposes (Section 36)

The archives of the government of British Columbia, the archives of a public body, or a board or a francophone education authority (as defined in the [School Act](#)) may disclose personal information or cause personal information in its custody or under its control to be disclosed for archival or historical purposes as authorized by [section 36](#).



Please check the authorization(s) for disclosure listed below.

		Yes	No	n/a
(a) *	The disclosure would not be an unreasonable invasion of personal privacy under section 22			X
(b)	The disclosure is for historical research and is in accordance with section 35 (research agreements)			X
(c)	The information is about someone who has been dead for 20 or more years			X
(d)	The information is in a record that has been in existence for 100 or more years			X

If you have not answered “yes” to any of the above authorizations for disclosure or if you require clarification, please contact your DMIP or FOIPP Coordinator.

VI ACCURACY AND CORRECTION OF PERSONAL INFORMATION (Section 28 and section 29 of the FOIPP Act)

If an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must make every reasonable effort to ensure that the information is accurate and complete. An individual must also have the ability to access, or have corrected or annotated, their personal information for a period of one year after a decision has been made based upon the personal information.

		Yes	No	n/a
1.	Are there procedures in place to enable an individual to request/review a copy of their own personal information?	X		
2.	Are there procedures in place to correct or annotate an individual's personal information if requested, including what source was used to update the file?	X		
3.	If personal information is corrected, are there procedures in place to notify other holders of this information?	X		
	If yes, please provide the name of the policy and/or procedures, a contact person and phone number.			
	Policy/procedure:	Regulation and Procedures 6710 – Records Management System		
	Contact person:	Secretary-Treasurer		
	Phone number:	250-624-6717		
	Additional details as required			

If any of the questions above have been answered "no", please contact your DMIP or FOIPP Coordinator for further clarification.

VII SECURITY AND STORAGE FOR THE PROTECTION OF PERSONAL INFORMATION (Sections 30 and 30.1 of the FOIPP Act)

Note: For PIAs related to new or existing systems, this section should be completed by the Branch of the ministry responsible for systems maintenance and security, and signed off by this branch, in the [Signatures](#) section.

For PIAs that do not involve systems initiatives, this section should be completed by the Branch or DMIP/FOI Coordinator completing the PIA. In this case, the signature of the systems representative is not required.

Section 30 of the Act requires a public body to protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

		Yes	No	n/a
1.	Is there reasonable technical security in place to protect against unauthorized access or disclosure?	X		
2.	Is there reasonable physical security in place to protect against unauthorized access or disclosure?	X		
3.	Are there branch policies and procedures in place for the security of personal information during routine collection, use and disclosure of the information?	X		
If yes, please provide the name of the policy and/or procedures, a contact person and phone number.				
	Policy/procedure:	Regulations and Procedure XXX – Records Management System		
	Contact person:	Secretary-Treasurer		
	Phone number:	250-624-6717		
Additional details as required				
4.	Have user access profiles been assigned on a need-to-know basis?	X		
5.	Do controls and procedures exist for the authority to add, change or delete personal information?	X		

6.	Does your system security include an ongoing audit process that can track use of the system (e.g., when and who accessed and updated the system)?		X	
	Please explain the audit process and indicate how frequently audits are undertaken and under what circumstances			
7.	Does the audit identify inappropriate accesses to the system?	X		
	Additional details			

If any of the questions above have been answered "no", please contact your DMIP or FOIPP Coordinator.

Section 30.1 requires a public body to ensure that personal information in its custody or under its control is stored only in Canada and accessed only in Canada unless the individual the information is about has consented or the disclosure is otherwise allowable under the Act.

		Yes	No	n/a
	Will the information be stored or accessed only in Canada?	X		

Personal information in a public body's custody or under its control must be stored and accessed only in Canada, unless one of the following applies:

		Yes	No	n/a
1.	Has the individual the personal information is about identified it and consented, in the prescribed manner, to it being stored in or accessed from another jurisdiction?			X
	Please explain			
2.	Will the personal information be stored in or accessed from another jurisdiction for the purpose of a disclosure that is authorized under the <i>Freedom of Information and Protection of Privacy Act</i> ?			X
	Please explain			



3.	Will the personal information be disclosed under section 33.1(1)(i.1)?			X
	Please explain			

If you have not answered “yes” to any of the above authorizations for storage or access of personal information outside Canada or if you require clarification, please contact your DMIP or FOIPP Coordinator.

VIII RETENTION OF PERSONAL INFORMATION - (Section 31 of the FOIPP Act)

If a public body uses an individual's personal information to make a decision that directly affects the individual, the public body must retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.

		Yes	No	n/a
1.	Do you have an approved records retention and disposition schedule?	X		
2.	Is there a records retention schedule to ensure information used to make a decision that directly affects an individual is retained for at least one year after use?	X		

If you answered "no" to the above questions, your procedures may need to be revised. Please contact your DMIP or Records Officer.

Note: Records of provincial public bodies and designated organizations/public bodies cannot be destroyed unless approval is granted under the authority of the *Document Disposal Act*. Please consult with your Records Officer to initiate the records scheduling process.

IX SECRETARY-TREASURER – REVIEW

		Yes	No	n/a
1.	Have you contacted the individual responsible for the completion of the PIA to discuss the information submitted, in particular those questions identified by an asterisk (*)?			
2.	Does the initiative meet the requirements of FOIPPA?			
3.	Is there a mechanism in place to review this PIA, as appropriate, to ensure the information remains current?			
4.	Are you satisfied that the policies/procedures for correction and/or annotation are adequate?			
	If there is additional information that would support the intended collection, use or disclosure of the personal information, please either insert in the appropriate text box or append to the PIA.			
	Comments			



X SIGNATURES

PUBLIC BODY APPROVAL:

Principal

Date

Director/Manager of Information and Privacy/
FOIPP Coordinator (Secretary-Treasurer)

Date

N/A

Ministry Contact Responsible for
Systems Maintenance and Security
*[this signature only required for PIAs on new
or existing systems]*

Date

Superintendent

Date