

# POLICY COMMITTEE AGENDA



**November 7, 2023 – 5:00 p.m.**

## **WELCOME AND ACKNOWLEDGEMENT**

*This meeting is being held on the traditional and unceded territory of the Secwépemc People.*

1. **October 10, 2023**, Committee Report
2. **Draft Policy 665** Financial Planning and Reporting-update
3. **Amended Policy** 610 FOIPPA and PIDA
4. Future Meeting Dates:

<b>MEETING</b>	<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
Policy Committee	December 5, 2023	5:00 p.m.	Board Office
Policy Committee	January 9, 2024	5:00 p.m.	Board Office
Policy Committee	February 6, 2024	5:00 p.m.	Board Office
Policy Committee	February 28, 2024	5:00 p.m.	Board Office
Policy Committee	April 9, 2024	5:00 p.m.	Board Office
Policy Committee	May 14, 2024	5:00 p.m.	Board Office
Policy Committee	June 11, 2024	5:00 p.m.	Board Office

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# Policy Committee Meeting Report



**October 10, 2023 (5:00 p.m. – 5:04 p.m.)**

**Trustees in Attendance:** Mary Forbes (Chaired Mtg.)

**TEAMS:** Linda Martens, Willow Macdonald, Ciel Patenaude.

**Regrets:** Michael Franklin, Anne Kohut.

**Staff:** Superintendent Chris van der Mark, Deputy Superintendent Cheryl Lenardon, Secretary-Treasurer Brenda Hooker, Director of Instruction Wendell Hiltz, Director of Human Resources, Taryn Aumond. Executive Assistant Jodi Symmes.

Agenda Item	Notes	Action	
<b>Acknowledgment of Traditional Territory</b>			
1. September 12, 2023, Committee Report	The committee reviewed the report and recommended no changes.	None.	
2. Draft Policy 665 Financial Planning and Reporting	Secretary-Treasurer Brenda Hooker provided an update on Draft Policy 665 - It appears there was an error in the posting process and as a result the public has not yet had the opportunity to review and provide feedback. The Draft will stay will remain posted until November 10th with an update provided at the November 7th committee.	None. Information only.	
3. Proposed Future Meeting Dates			
MEETING	DATE	TIME	LOCATION
Policy Committee	November 7, 2023	5:00 p.m.	Board Office
Policy Committee	December 5, 2023	5:00 p.m.	Board Office
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**TO: Policy Committee**

**FROM: Brenda Hooker – Secretary Treasurer**

**DATE: November 7, 2023**

**RE: Draft Policy 665 Financial Planning and Reporting Policy**

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### **BACKGROUND**

The draft Policy 665 Financial Planning and Reporting Policy was approved for public consultation at the September 26<sup>th</sup> board meeting. It appears there was an error in the posting process and as a result the public had not yet had the opportunity to review and provide feedback by the October public board meeting.

The draft Policy 665 Financial Planning and Reporting Policy will remain posted until November 10<sup>th</sup> with an update provided at the November 7<sup>th</sup> committee meeting.

The draft Policy 665 Financial Planning and Reporting Policy will be brought to the November 28<sup>th</sup> Public Board of Education meeting for approval.

### **RECOMMENDATION**

***THAT** the draft policy 665 be referred to the November 28, 2023, Public Board meeting for adoption.*

**TO: Policy Committee**

**FROM: Brenda Hooker**

**DATE: November 7, 2023**

**RE: Amended Policy 610 – POLICY, FOIPPA and PIDA**

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## **BACKGROUND**

Over the course of the last several years, the SLT and Board have revised and updated the entire SD27 Policy Landscape. As of today, there are five original policies that require review. This work will be prioritized over the next few months.

In February 2021, Policy 610 FOIPPA was created. Since the creation of the FOIPPA policy several changes have been made to Privacy, FIOPPA, and PIDA policies from the Provincial and Federal governments.

## **DISCUSSION**

The original SD27 Policy 610 FOIPPA, has been expanded to include changes to Privacy legislation and the inclusion of PIDA (the Public Interest Disclosure Act). This has transformed Policy 610 into the overarching policy addressing privacy and the crossover between multiple legislations.

The District is also in the process of adding the required AP's, Risk Assessments, and operational plans to ensure that the District has a robust Privacy Management Plan that is compliant with legislation in BC and Canada.

Repeal of Policy 430 Whistler Blower Protection – The policy has been incorporated in Policy 610 Privacy, FOIPPA and PIDA.

### **Provided for information are Administrative Procedures:**

- **AP 610-1** Critical Incident and Privacy Breach – Amended - name changed from “Privacy Breach.”
- **AP 610-4** PIDA – Amended - renamed from Whistler Blower
- **AP 610-5** FOIPPA Personal Information Directory (PID) – Draft
- **AP 610-6** FOIPPA Designation of Head – Draft
- **AP 610-7** FOIPPA Fee Schedule – Draft
- **AP 610-8** Privacy Impact Assessment – Draft

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**RECOMMENDATION**

***THAT*** the Board of Education approve the Amended POLICY 610 – PRIVACY, FOIPPA and PIDA with a name change reflective of the additions to the original policy.

*and,*

***THAT*** the Board of Education approve the Repeal of Policy 430 Whistle Blower Protection as this policy now falls within POLICY 610 – PRIVACY, FOIPPA and PIDA.

# BOARD OF EDUCATION POLICY

## POLICY 610 PRIVACY, FOIPPA, AND PIDA



The Board of Education recognizes its legal obligation to safeguard the confidentiality of personal information pertaining to its staff and students. As custodians of this information, the Board believes that the storage, retrieval, and distribution of these records should be done with the assurance of confidentiality and privacy.

Obtaining private or personal information may only be done in accordance with the Freedom of Information and Protection of Privacy Act (FOIPPA) and District administrative procedures.

The Board of Education also encourages and supports all personnel in bringing forward reports of unlawful acts and acts of wrongdoing in a manner consistent with the provisions of the British Columbia *Public Interest Disclosure Act* ("PIDA").

The purpose of this Policy and related Administrative Procedures is to establish a privacy management program, in compliance with FOIPPA and PIDA, for employees and trustees to report, in good faith, privacy breaches or wrongful and unlawful conduct without fear of retaliation or reprisal.

Commented [js1]: Added the section below

### SCOPE OF POLICY

This Policy applies to alleged wrongdoing related to the School District's operations or personnel. This Policy does not displace other mechanisms set out in School District Policy for addressing and enforcing standards of conduct, disputes, complaints, or grievances, including issues of discrimination, bullying and harassment, occupational health and safety, or disputes over employment matters or under collective agreements.

### TRANSPARENCY AND ACCOUNTABILITY

The School District strives to be open and transparent with the community about its programs and activities and has processes in place to support the timely response to access requests submitted under FOIPPA and the proactive release of information of interest to the community.

### GUIDELINES/PRINCIPLES

#### Definitions

In this Policy and the Procedures, the following capitalized terms are defined as indicated:

- "**Advice**" means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy or the PIDA;
- "**Discloser**" means an Employee or Trustee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;
  - "**Discloser**" means an Employee or Trustee who makes a Disclosure;
  - "**Disclosure**" means a report of Wrongdoing made under this Policy;
  - "**Employee**" refers to a past and present employee of the School District;

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Related Legislation: Freedom of Information and Protection of Privacy Act  
Related Contract Article: Nil  
Adopted: February 2021  
Amended:

**"FOIPPA"** means the *Freedom of Information and Protection of Privacy Act*, and all regulations thereto;

**"Investigation"** means an investigation undertaken by the School District under this Policy or by the Ombudsperson under the PIDA;

**"Personal Information"** has the same meaning set out in FOIPPA, namely "recorded" information about an identifiable individual", and includes any information from which the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;

**"Personnel"** means Employees and Trustees;

**"PIDA"** means the *Public Interest Disclosure Act* of British Columbia, and all regulations thereto;

**"Procedure"** means the School District's Administrative Procedure's associated with this Policy;

**"Reprisal"** means the imposition of, and any threat to impose, discipline, demotion, termination, or any other act that adversely affects employment or working condition of a member of Personnel because they made a Disclosure, sought Advice, made a complaint about a Reprisal, or participated in an Investigation;

**"Trustee"** means a past or present member of the School District's Board of Education; and **"Wrongdoing"** refers to:

- a. a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- b. an act or omission that creates a substantial and specific danger to the life, health, or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
- c. a serious misuse of public funds or public assets;
- d. gross or systematic mismanagement;
- e. knowingly directing or counselling a person to commit any act or omission described in paragraphs (a) to (d) above.

#### **Statement of Principles - PIDA**

- The School District is committed to supporting ethical conduct in its operations and seeks to foster a culture in which Employees and Trustees are encouraged to disclose Wrongdoing, including by receiving, investigating, and responding to Disclosures and by providing information and training about PIDA, this Policy and the Procedures.
- The School District will investigate Disclosures that it receives under this Policy. Investigations under this Policy will be carried out in accordance with the principles of procedural fairness and natural justice.

- The School District will not commit or tolerate Reprisals against any Employee or Trustee who, in good faith, makes a request for Advice, makes a Disclosure, participates in an Investigation, or makes a complaint under this Policy.
- The School District is committed to protecting the privacy of Disclosers, persons accused of Wrongdoing and those who participate in Investigations in a manner that is consistent with its obligations under PIDA and FOIPPA.

#### **Statement of Principles - FOIPPA**

- being open and transparent about the purposes for which personal information may be collected and used by the School District;
- collecting and using personal information only as necessary to carry out the School District's authorized programs and activities;
- sharing personal information internally with staff only on a need-to-know basis;
- sharing personal information with third parties with the knowledge and consent of affected individuals, unless otherwise authorized or required under FOIPPA, the *School Act* or other applicable laws;
- ensuring personal information is protected against unauthorized access, use, disclosure, loss, or destruction; and
- complying with FOIPPA and all Procedures for the accuracy, protection, use, disclosure, storage, retrieval, correction, and appropriate use of personal information.

#### **Privacy and Confidentiality**

All Personal Information that the School District collects, uses, or shares in the course of receiving or responding to a Disclosure, a request for Advice, a complaint of a Reprisal, or conducting an Investigation will be treated as confidential and will be used and disclosed as described in this Policy, the Procedures, PIDA, or as otherwise permitted or required under FOIPPA and other applicable laws.

#### **Reporting**

Each year, the Superintendent shall prepare, in accordance with the requirements of the PIDA, and make available, a report concerning any Disclosures received, Investigations undertaken and findings of Wrongdoing. All reporting under this Policy will be in compliance with the requirements of FOIPPA.



### Responsibility

The *School Act* designates the Superintendent as responsible for general supervision of staff and operations for the District which includes the administration of this Policy and shall ensure that training and instruction is available to all Employees and Trustees concerning this Policy, the Procedures, PIDA and FOIPPA.

The Superintendent may delegate their authority in writing to a Privacy Officer.

AMENDED