

Records

What is a record? [MFIPPA, S. 2 \(1\)](#)

The *Municipal Freedom of Information and Protection of Privacy Act*, defines a record means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

What is an original record? [PIM Toolkit, 327](#)

An original record is a primary or first-generation record from which copies can be made.

What is personal information? [PIM Toolkit, 331](#)

Recorded information about an identifiable individual including: name, address, phone number; race, ethnic origin, or religious or political beliefs or associations; age, sex, sexual orientation, mental status, or family status; any identifying number or symbol; fingerprints, blood type, or inheritable characteristics; medical history; educational, financial, criminal, or employment history; personal views or opinions, except if they are about someone else; or anyone else's opinion about that individual. A student's OSR (Ontario Student Record) is such an example. The OSR Guideline (2000) outlines use, access, disclosure, retention and storage of the OSR.

Principal's Best Practice: The OEN is personal information because it is an identifying number for the student and as such it should not be displayed in a public place in the school.

Does a school or school board have the authority to collect personal information? Toronto District School Board (TDSB) & Office of the Information and Privacy Commissioner of Ontario (OIPCO), [TDSB & OIPCO FAQ #1](#)

The school sends home many requests for information. Occasionally you'll get a phone call from a parent asking why the information is necessary and, in fact, whether the school or board has the authority to do this. The answer is "yes" and in most situations the authority to collect and use personal information comes from the *Education Act*, Sections 169.1, 170, 171, 190, 264, 265, 266 Part XIII, which enables the board to operate its business and to deliver a wide range of programs and services to students. In fact, S. 265 requires the principal to maintain pupil records according to Ministry requirements.

Are there rules that must be considered for managing information for the collection, storage, retention and disposal of personal information? [PIM Toolkit, 21-22](#)

The "Privacy Standard" sets out fair information practices and guidelines that create a framework that the principal can apply to help ensure that personal information is protected.

Use of Personal Information

School boards shall use information collected in accordance with the requirements of the Education Act in accordance with the MFIPPA. Consent of the parent/guardian/adult student is

required prior to disclosing personal information for any other purpose, for example to a third party to release it in the public domain), unless disclosure is required by law, or in exigent circumstances where student safety is at risk.

What records should be created and retained?

Records include any information that documents the mission and planning objectives of the organization which include planning, decisions, actions, and results, as follows:

- results of significant daily activities that support the mission and objectives of our organizations;
- advice and recommendations made to management and the decisions and actions taken as a result, along with supporting documentation;
- problems encountered in organizational operations and the steps taken to resolve the problems;
- interactions with the public, customers, clients, stakeholders, consultants, vendors, partners, and other government jurisdictions;
- verbal communications such as meetings, telephone calls, and face-to-face discussions where significant actions or decisions have occurred;
- legal agreements of any kind, including contracts, along with supporting documentation;
- policy, organizational planning, performance measurement, and budget activities, and supporting documentation;
- work done for the government by consultants and other external resources; and
- actions and decisions where payments are made or received, funds committed, services delivered, or obligations incurred.

How long should these records be kept?

Records should be managed as part of a board-wide records and information management strategy which includes establishing retention periods for records based on:

- a retention period prescribed by law, for example, OSR guideline established 55 years as the retention period for the Office Index Card and the OSR folder (subject to purging 5 years post retirement);
- the operational value of the information to the organization;
- evidence of accountability
- risk management (the risk can be increased or reduced by having or not having the information) and/or
- the archival or historical value of the information.

Other requirements (as above) may set out longer retention periods, for example, the OSR guideline establishes a retention period of 55 years for the Office Index Card and Ontario Student Record (subject to purging 5 years post retirement).