

## PRIVACY BREACH PROCEDURE

Authorizer: Vice President, Finance and Corporate Services

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### PROCEDURE STATEMENT:

This procedure sets out the process for handling a privacy breach – an unauthorized collection, use, or disclosure of personal information, in contravention of Ontario’s Freedom of Information and Protection of Privacy Act (FIPPA) - that may affect an individual or a group, at the Conestoga College Institute of Technology and Advanced Learning (Conestoga) in accordance with Conestoga’s Protection of Privacy Policy.

Questions about this procedure are directed to the Manager, Privacy and Information Management ([privacy@conestogac.on.ca](mailto:privacy@conestogac.on.ca)).

### PROCEDURE ELABORATION:

1. Reporting - any Conestoga user that suspects a privacy breach must immediately notify their functional leader and email: [privacy@conestogac.on.ca](mailto:privacy@conestogac.on.ca). *Managers must notify this email address of any privacy breach for reporting purposes.*
2. Containment – the manager must take immediate steps to contain the breach and prevent any further unauthorized access to the personal information. The following steps - steps 3, 4 & 5 - can happen both in conjunction with containment and after containment.
3. Preliminary Assessment – Once a potential breach has been identified, the Vice President, Finance and Corporate Services or designate determines if further investigation is warranted, preserves evidence, and determines if law enforcement need to be involved.
  - a. The Vice President, Finance and Corporate Services leads the assessment if needed.
4. Notification
  - a. Impacted individuals are notified by the manager or director of the unit / office where the breach occurred as soon as is reasonably possible. If the manager or director of the unit requires support and/or the notification is particularly

complicated, they must reach out to the Vice President, Finance and Corporate Services.

- b. The Information and Privacy Commissioner of Ontario must be notified by the Vice President, Finance and Corporate Services when there is particularly sensitive information involved in the privacy breach and/or when there is a large number of individuals impacted.

#### 5. Risk Mitigation

- a. Based on the severity and scope of the breach, the Vice President, Finance and Corporate Services will decide whether further investigation is required. If it is, the VP will:
  - i. Lead further investigation of the privacy breach if warranted.
  - ii. Identify prevention strategies to ensure a similar privacy breach does not reoccur.
  - iii. Monitor outcome of prevention strategies.

#### **SCOPE:**

This procedure is applicable to all Conestoga users of information and technology systems including but not limited to Conestoga employees (full time, part time, definite term, casual, etc.), contractors and consultants, and volunteers and anyone working at or on behalf of Conestoga, including third parties, who have access to personal information in the custody and/or control of Conestoga and suspect a privacy breach.

#### **DEFINITIONS:**

##### **Conestoga Users**

Individuals who access and/or use Conestoga's data while performing their duties on behalf of the College. Users include, but are not limited to, Conestoga employees (full time, part time, definite term, casual, etc.), contractors, consultants, and volunteers.

##### **FIPPA**

*Freedom of Information and Protection of Privacy Act (FIPPA)*

##### **Personal information -**

Personal information means recorded information about an identifiable individual as defined in FIPPA. Information related to a person acting in their business capacity is not personal information. This includes business addresses, work titles, business phone numbers, and Conestoga issued email addresses.

##### **Privacy Breach**

Unauthorized collection, use, or disclosure of personal information, in contravention of the *FIPPA that may* affect an individual or a group.

#### **REFERENCES:**

*Freedom of Information and Protection of Privacy Act (FIPPA)*

*Ministry of Training, Colleges and Universities Act*  
*Ontario Colleges of Applied Arts and Technology Act*

**RELATED DOCUMENTS:**

Protection of Privacy Policy

**REVISION LOG:**

December 15, 2021 Academic Forum

January 6, 2022 Academic Coordinating Committee