



1.0 RATIONALE

Sturgeon School Division believes in managing personnel information as a strategic resource, in compliance with provincial legislation and in the best interests of the division and its employees.

2.0 PROCESS

A standard vocabulary, process of evaluation, method of storage, schedule of retention, method of disposal, and legislative requirements shall be administered by the Human Resources Department, in co-operation and collaboration with the Payroll Department.

3.0 DEFINITIONS

- 3.1 'record' means a piece of information in any form and includes notes, images, documents, drawings, photographs, letters, vouchers, and other material capable of being stored physically or electronically, but does not include software or other mechanism that produces records
- 3.2 'significant record' refers to results of a significant daily activity, advice or recommendation to management, a problem noted or resolved, interaction with the public, a parent, a student, stakeholder, consultant, vendor, business associate, or other school jurisdiction, legal agreement and supporting documentation, policy, plan, performance measurement, work done for the division by a consultant, and financial transactions done by or on behalf of the division
- 3.3 'essential record' is any record without which the operation of the division would be compromised
- 3.4 'transitory record' is a duplicate primarily existing in another file within the division, a document that no longer has any operational value, an advertisement, a template or blank form, a 'draft' marked as such or in any way that indicates that it is not a final, operating version, external publications
- 3.5 'active record' is one used on a frequent or regular basis without which division operation is incomplete

References: *Board Policy: E/IV/1 Personnel Files*
Freedom of Information and Protection of Privacy (F.O.I.P.P.): Chapter F-25



- 3.6 'closed record' is one that is no longer required for division operation
- 3.7 'personal information' is record information about an identifiable individual referenced under the *Freedom of Information and Protection of Privacy Act*, as amended from time to time, or in provincial legislation that replaces this Act
- 3.8 'employee' includes senior administrators, managers, employees covered by General Employment Conditions, teachers, school support staff, and others who may from time to time be included in normal division payroll transactions; and excludes contractors, employees of contractors, consultants, volunteers, students, and independent service provider

4.0 GUIDELINES

The Human Resources Department shall administer a consistent records classification scheme, a records retention schedule, and a process and standards for access to information for personnel information that limits personnel files to relevant information and limits access to this information that is respectful of employee's privacy and is compliant with provincial legislation.

4.1 Personnel Records Classification

Each record must be assigned to the file based on 'primary subject'. (ie. general correspondence, evaluation, payroll, etc.)

4.2 Collection of Data

The Superintendent shall ensure that necessary information regarding staff is gathered and maintained.

Where the Superintendent has not authorized the gathering of a specific type of information, then prior informed consent of the employee is required.

The Superintendent shall establish classes of data and procedures for obtaining consent.

References: *Board Policy: E/IV/1 Personnel Files*
 Freedom of Information and Protection of Privacy (F.O.I.P.P.): Chapter F-25



4.3 Classification and Maintenance of Data

The Superintendent shall ensure that employee data is classified in terms of sensitivity and degree of reliability and period of retention.

4.4 Administration of Security

The Associate Superintendent is responsible for record maintenance, security and access at the system level.

Employees shall have the right to challenge the validity of any data.

Administrative practice will provide guidance to employees in this regard.

4.5 Retention Schedule

Records are closed at the end of the school year in which an employee is terminated from all employment with the Division. The Alberta Records Management Association recommends that records be kept as follows:

six years from file closure – records related to employee name, address, birth date, occupation, telephone number, commencement, pay, hours of work, benefits, statutory holidays, vacation and vacation pay, taxation, CPP, EI, record of employment

two years from file closure – resumes, applications, reference letters, hiring assessments, letters of reference, workers' compensation claims and appeals, performance evaluations, sick/medical records and claims,

4.6 Content

Personnel files shall be limited to information directly related to employees' terms and conditions of work and the evaluation and review of them. No document or record may be included in an employee's file without the employee's knowledge. If it found that a document is included in an employee's file without the employees' knowledge it must either be removed or a dated copy must be provided to the employee. The validity of a record or document so included is effective the date on the employee's copy.

References: *Board Policy: E/IV/1 Personnel Files*
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4.7 Access

An employee may request access to his/her file. Access shall be provided [a] during hours of Central Office administration, [b] upon reasonable notice. An employee may request copies of records or documents from the file. Individual documents of a few pages shall be copied and provided during the period of access [i.e. – the same day]. Larger amounts of photo-copied material shall be provided within seven calendar days.

An administrator may request to review an employee's file when [a] the employee reports directly to the administrator, [b] the employee is a staff member of the school or other work location under the administrator's supervision, or [c] the employee has applied for or is otherwise being considered for appointment to a position under the [direct or indirect] supervision of the administrator.

All access to personnel file shall be administered by the Human Resources Department.

4.8 Release of Information

School system personnel may not divulge, in any form, information contained in personnel records except as required by law or with written employee consent.

Employees shall be informed that information has been released and will be provided with a copy of the information upon request.

Employees shall have right of access to their personnel file. Administrative practice regarding release of information and access by employees will provide direction in this regard.

5.0 PROCEDURES

5.1 Collection of Data

A single record file shall be maintained by the Human Resources Department for each employee.

References: *Board Policy: E/IV/1 Personnel Files*
 Freedom of Information and Protection of Privacy (F.O.I.P.P.): Chapter F-25



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Revised: March 17, 2014

Responsible Administrator: Associate Superintendent HR

No information shall be collected from employees without either their prior informed consent or as required by the Board of Trustees.

5.1.1 The Board of Trustees requires that the following data be collected:

- 5.1.1.1 written evaluations as provided for in Board policy.
- 5.1.1.2 contractual and employment arrangements.
- 5.1.1.3 payroll data.
- 5.1.1.4 personal identifying information.
- 5.1.1.5 prior experience and training.
- 5.1.1.6 health information.
- 5.1.1.7 correspondence between the school system and employee.
- 5.1.1.8 data legally required by other government agencies.

5.1.2 Individual informed consent of each employee is required for the gathering of information, other than that required under 3.1.2.1 above.

5.2 Classification and Maintenance of Data

The reliability and sensitivity of data collected varies widely and must, therefore, be classified as to period of retention, the degree of security required and methods of access. The following classifications shall apply:

5.2.1 Category "A" Data: This data classification includes official administrative records that constitute the minimum personal data necessary for operation of the school system.

Specifically this would include identifying data, birth date, academic work completed, level of achievement, academic and employment data.

5.2.1.1 These records shall be maintained no longer than seven years following the last date of employment and are subject to the conditions set out under Clause 3.3: Administration of Security.

5.2.1.2 Conditions of access to these data are given under Clause 3.4: Release of Information.

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5.2.2 Category “B” Data: This data classification includes verified information of clear importance, but not absolutely necessary to the school system, over time. Specifically, health data, family information, systematically gathered evaluation reports and verified reports of serious or recurrent behaviour patterns are included in this category.

5.2.2.1 Category "B" data should be reviewed periodically and upon termination of employment with the view to eliminating information that is no longer relevant or is no longer accurate.

5.2.2.2 Conditions of access to these data are given under Clause 3.4: Release of Information,

5.2.3 Category "C" Data: This data classification includes potentially useful information but not yet verified or clearly needed beyond the immediate present. Such things as unevaluated documents which may be needed in ongoing investigations and disciplinary or counselling actions are included in the category.

5.2.3.1 Such data should be reviewed at least once a year and destroyed as soon as their usefulness is ended, or transferred to Category "B". Transfer to Category "B" may be made only if the continuing usefulness of the information is clearly demonstrated.

5.2.4 Supervisors may maintain notes and other memory aids for their personal use in assisting employees. This information is the property of Sturgeon School Division and may only be used for official purposes if it is added to the employee's personnel file and the employee is so notified.

5.3 Administration of Security

5.3.1 The Associate Superintendent of ~~Human Resources~~ is responsible to the Superintendent for personnel record maintenance and access. He/She is also responsible for the periodic training of personnel in the proper application of these policies, and the conditions established by the Freedom of Information

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and Protection of Privacy Act (F.O.I.P.P.) with emphasis upon privacy rights of employees.

5.3.2 Records should be kept under lock and key when direct supervision of records by the Associate Superintendent or his designee is not possible.

5.3.3 Formal procedures are established whereby an employee may challenge the validity of any of the information contained in Categories "A" or "B".

5.3.3.1 The Superintendent or his/her designee shall determine the validity of Category "C" data, and provide for challenges of such data on occasions where their transfer to Category "B" is held to be desirable.

5.3.3.2 With respect to both challenges and verifications, employees shall have right to counsel, to present evidence and to cross-examine witnesses. Further, employees shall receive written notice of these proceedings and shall be given reasonable time to prepare for them.

5.3.3.3 The Associate Superintendent of ~~Human Resources~~ shall ensure that a periodic review is made of all data retained in Categories "B" and "C". The principle that good cause must be shown for the retention of any of these data categories should be followed.

5.3.4 Files containing Category "A" and "B" data, with accompanying identifying information shall be retained after the employee leaves the school system and in accordance with 3.2.1.1 and 3.2.2.1.

5.4 Release of Information Regarding Employees

5.4.1 The Associate Superintendent of ~~Human Resources~~ may, without consent of the employee release an employee's permanent record file to:

5.4.1.1 other officials within the School Division who have a legitimate reason for access. A record indicating the name of the employee, the name of the school system official having access and the date

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of access shall be maintained. This record shall be available to employees and to the Superintendent as a means of auditing the operation of the system.

5.4.1.2 The Minister of Education and his officers or subordinates, so long as the intended use of the data is consistent with the Minister's statutory powers and responsibilities.

5.4.2 School system personnel may not divulge, in any form, to any persons other than those listed in 3.4.1, any information contained in employee records except:

5.4.2.1 with written consent of the employee specifying the records to be released, and to whom and with a copy of the records to be released to the employee if desired.

5.4.2.2 administrative agencies where those agencies have the power of subpoena. Employees shall be notified of all such orders and of the school systems' compliance.

5.4.3 Under no conditions, except as in 3.4.2.2 shall the school system release information:

5.4.3.1 in Category "C".

5.4.3.2 gathered by any non-school system agency, but included in the employee file.

5.4.4 Each matter of request for consent must be handled separately. Blanket permissions for the release of data within an extended period of time may not be solicited since they, by definition, do not provide an opportunity for informed consent.

5.4.5 School system personnel shall comply with employee requests for the release of information to other persons or agencies.

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- 5.4.6 Either an employee or the employee's legal representative may have access to Category "A", "B" and "C" data as provided in this section.
 - 5.4.7 The school system may face instances in which governmental agencies, local, provincial and federal, mandate the release of information on individuals. The principle of informed consent should apply in all cases. Where identification of individuals is nevertheless legally required, with or without consent, employees shall be informed of the specific information which has been provided.

References: *Board Policy: E/IV/1 Personnel Files*
Freedom of Information and Protection of Privacy (F.O.I.P.P.): Chapter F-25