



Category:	Technology & Information Management
Approved By:	Senior Administrative Team (SAT)
Approval Date:	February 28, 2012
Effective Date:	February 28, 2012
Revised Date(s):	
Policy Sponsor:	Vice-President People and Planning
Policy Administrator:	Director Human Resources

Confidentiality Policy

Purpose

The purpose of this policy is to outline responsibilities regarding the duty to maintain confidentiality of Lethbridge College information whether verbal, written, electronic or in any other format.

Scope / Limits

This policy applies to all persons performing a service for Lethbridge College which includes employees and associated parties.

Definitions

Associated parties includes:

- **volunteers** persons who perform an unpaid service for the college
- **others** persons working for the college under a contract or agency relationship

Confidential information includes, but is not limited to, personal information as defined by the Alberta Freedom of Information and Protection of Privacy (FOIP) Act, as well as proprietary information of a non-public nature that may, if disclosed, be of use to competitors of the College or reasonably harmful or prejudicial to the business, economic and/or financial interests of the College and its stakeholders.

Confidentiality ensuring that confidential information is accessible internally or externally only to those who are authorized to have access.

Employees persons on the payroll of Lethbridge College.

Policy Statements

1. Lethbridge College recognizes its legal and ethical responsibilities to safeguard confidential information. Lethbridge College will, in good faith and to the best of its ability, adhere to all applicable laws relating to privacy and confidentiality.

2. The college places a high level of responsibility and trust in employees and associated parties to handle confidential information which they learn or have access to through their employment or association with the college in the strictest confidence. In some circumstances, a non-disclosure agreement may be required (Appendix B).
3. The duty of confidentiality continues after the completion of employment from or association with the college.
4. Lethbridge College employees and associated parties will only collect, use and disclose confidential information for necessary business purposes or as otherwise required by law.
5. Lethbridge College and its employees and associated parties will make every reasonable effort to establish protocols to ensure to the best of their ability that confidential information is kept secure from unauthorized access.
6. Employees and associated parties have an obligation to report suspected incidents of breach of confidentiality and/or concerns as outlined in the Confidentiality Procedures (Appendix A). Anyone filing a complaint concerning a breach must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a breach.
7. All breaches of confidentiality will be investigated in a fair and consistent manner and appropriate action taken. Persons involved in allegations of wrongdoing are to be treated fairly and impartially regardless of their position or the length of their involvement with the college.

A: Policy Supports

[Confidentiality Procedures \(Appendix A\)](#)
[Non-Disclosure Agreement \(Appendix B\)](#)

B: Legislated References

Alberta Freedom of Information and Protection of Privacy (FOIP) legislation

C: Other References

D: Related Policies

Academic Accommodation for Students with Disabilities
Applied Research and Promotion of Innovation
Information Technology Security
Integrity in Research and Scholarship
Intellectual Property and Copyright Ownership (6.16)
Lethbridge College Code of Conduct
Procurement
Records Management
Safe Disclosure

Sexual Misconduct Prevention and Response
Social Media
Student Rights and Code of Conduct
Use of Information Technology Resources
Workplace Relationships (6.31)
Board of Governors
 EL – 2 Treatment of Staff
 EL – 5 Asset Protection



Parent Policy:	Confidentiality
Effective Date:	January 11, 2012
Revised Date(s):	
Policy Sponsor:	Vice-President People and Planning
Policy Administrator:	Director Human Resources
Appendix A	

Confidentiality Procedures

1. Appropriate management and supervisors must review any department specific information or procedures related to confidentiality with employees and associated parties. This should be done on an ongoing basis as required and also during the employee's annual performance review.
2. Associated parties will be informed of the confidentiality policy and the duty to maintain confidentiality by the appropriate management through committee terms of reference, contractual agreement, or in other written and/or verbal formats.
3. Employees or associated parties unsure of whether information should be disclosed should refer questions/inquiries to their supervisor or the appropriate department head.
4. Methods used to guard against the unauthorized access to confidential information include, but are not limited to:
 - use of passwords on electronic systems
 - locked office doors and filing cabinets
 - use of privacy screens on computer monitors
 - discussions with employees during annual performance reviews
 - inclusion of appropriate clauses in contracts and agreements
 - reference to duty to maintain confidentiality in letters of appointment
 - discussion of duty to maintain confidentiality during employee orientation
 - reference to duty to maintain confidentiality In committee terms of reference
 - discussions by supervisors with employees on an ongoing basis as specific circumstances arise at the unit level
 - requirement of employee or associated party to sign a non-disclosure agreement in specific circumstances
5. A [non-disclosure agreement](#) may be required in circumstances where information is highly sensitive and release of information could result in significant damage to the college.

Examples of circumstances where a non-disclosure agreement may be required:

- one-time events such as a capital campaign
- employees, associated parties and committees that, due to the nature of their role, have access to highly sensitive and confidential information on a routine basis
- volunteers, depending on the nature of their role
- any circumstance as deemed necessary by management

Signed non-disclosure agreements for employees will be maintained by Human Resource Services. Signed non-disclosure agreements for associated parties will be maintained by the appropriate college administrator.

6. In most cases, an employee's supervisor is in the best position to address an area of concern. Those not comfortable addressing the issue with their supervisor, or not satisfied with their response, may bring their concern forward to the Vice-President People and Planning, to the Institutional Compliance Office, or any other Lethbridge College administrator, manager or director.
7. Reports of breach of confidentiality, or suspected breach of confidentiality, may be submitted on a confidential basis to the Vice-President People and Planning.
8. All disclosures made under this policy and all investigations will be handled in a confidential and sensitive manner and will be only disclosed to parties that have a legitimate need to know, or as required by law.
9. The objective of a breach of confidentiality investigation will be to establish, at least, any or all of the following:
 - provide assignment or responsibility for investigating the specific incident
 - determine whether the report of breach of confidentiality is substantiated
 - provide a professional response to any breach of confidentiality issue
 - assist in mitigating the effects of the situation
 - assist in recommending methods to reduce or eliminate the probability of similar types of occurrences.
 - determine if disciplinary or legal action needs to be taken
9. Allegations that prove not to be substantiated and made maliciously or knowingly to be false will be viewed as a serious disciplinary offense, and dealt with appropriately. Actions may include discipline up to and including termination of employment or association with the college, and/or legal sanctions. A complainant who has acted in accordance with the requirements of this policy and the related procedure is protected against reprisal.