

# VCC ARBITER OF STUDENT ISSUES

## PRIVACY & CONFIDENTIALITY STATEMENT & PARAMETERS

### PREAMBLE

The use and leveraging of the Vancouver Community College (VCC) Arbiter of Student Issues Office (ASI/Office) necessarily involves the collection of the user's (Student, Employee) Personal Information. The ASI collects, uses, discloses, and retains your Personal Information in compliance with British Columbia's Freedom of Information and Protection of Privacy Act [FIPPA], RSBC 1996, Chapter 165 and the *VCC ASI Office Terms of Reference* (TOR).

The ASI is committed to the confidentiality and security of Student and Employee Personal Information and allowing Students and Employees to request access to their Personal Information held by the ASI according to processes outlined in FIPPA and VCC's policy on *Freedom of Information and Protection of Privacy*.

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### DEFINITIONS

**Personal Information** – means information about an identifiable individual including, but not limited to, an individual's name, age, home address and phone number, social insurance number, marital status, religion, income, credit history, medical information, education and employment information.

**Privacy Officer** – means the designated individual at VCC responsible for ensuring that the Arbiter of Student Issues Office complies with VCC privacy policies and BC privacy legislation.

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### PURPOSE OF COLLECTING INFORMATION

In accordance with Section 26 of FIPPA, your collected Personal Information is used by the ASI for the purposes of:

- ❖ Providing you with information about your rights and obligations as they relate to your complaints or disputes against the College; and/or
- ❖ With your consent, providing intervention with respect to your complaints or disputes against the College; and/or
- ❖ With your consent, apprising relevant VCC services or areas about your needs or complaint/dispute if and when the Office refers you to those services or areas.

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### EXCEPTIONS TO PRIVACY & CONFIDENTIALITY

BC privacy legislation and BC child abuse & endangerment legislation direct that an individual's privacy and confidentiality rights yield to the following exceptions:

- Where a minor is at risk, is being abused or there is reason to believe abuse is occurring.
- Where harm to self or others is imminent or threatened.
- Where a court subpoena or other legal proceeding legally requires the disclosure of the information.
- And as outlined in the *Freedom of Information and Protection of Privacy Act* (see among others s. 33).

The Office additionally reserves the right to share the student's or employee's personal information on a 'need to know' basis with other ASI Office personnel in order to properly administer the Office and/or the client file.

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### ASI TERMS OF REFERENCE-SECTION ON CONFIDENTIALITY (See TOR p.6)

#### CONFIDENTIALITY

- ❑ The Office shall meet with persons or groups on a confidential basis and shall not intervene without their consent.
- ❑ The Office shall communicate to a complainant the extent to which it can respect their request for confidentiality. The Office will outline to the complainant the necessity to disclose details that identify them should the complainant request the pursuit of an inquiry. Any disclosure shall be limited to those who have a need to know.
- ❑ The Office will make use of and educate the College membership around the concepts of 'implied consent' and 'need to know' where consent is concerned.
- ❑ Limitations to confidentiality are triggered:
  - when there is perceived or imminent threat of harm to self or others or commission of a crime
  - where the ASI has been harassed, bullied or discriminated against and disclosure of information is necessitated to inform the harassment, bullying or discrimination
  - where the ASI becomes the subject of a complaint and disclosure of information is necessitated to answer the complaint
  - where the law requires and dictates the release of information
- ❑ Confidentiality will be respected even though acceding to such may prevent the resolution of a problem.
- ❑ The Office will not be compelled to give evidence about anything learned in the exercise of its duties unless about and authorized by a specific complainant. The College will endeavour to protect the ASI from subpoena by others both inside and outside the College.
  - Notwithstanding this standard, the Office may disclose a matter in order to establish grounds for conclusions or recommendations in a report provided the identity of the individual(s) involved is not made known or is made known with their permission.

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#### OFFICE USER CONSENT TO DISCLOSE THEIR INFORMATION

- ❖ An Office user's consent to disclose their information can be provided orally (e.g. given over the phone or in a meeting), in writing or electronically; or it can be implied where the purpose for collecting using or disclosing the Personal Information would be considered obvious and the Student/Employee voluntarily provides Personal Information for that purpose.

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#### OFFICE USER ACCESS TO PERSONAL INFORMATION

- ❖ Students/Employees have a right to access their Personal Information from the ASI according to VCC's *Freedom of Information and Protection of Privacy* policy and FIPPA legislation.
- ❖ A request to access Personal Information must be made in writing to the VCC Privacy Officer.

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### REFERENCES

#### ASI Terms of Reference (TOR)

Available at [VCC.ca/Services/Services for Students/Disputes Resolution](https://vcc.ca/Services/Services%20for%20Students/Disputes%20Resolution):

[ASI Terms of Reference](#)

#### VCC Freedom of Information and Protection of Privacy Policy & Privacy Officer

##### POLICY

- ❑ [Policy & Procedures](#)

##### PRIVACY OFFICER

- ❑ Mary Corbett  
Privacy Coordinator  
604-871-7611  
[marcorbett@vcc.ca](mailto:marcorbett@vcc.ca)
- ❑ Employees see also MyVCC.ca link below:  
<https://employee.vcc.ca/departments/operational/records-management/records-management/information-access-and-privacy/>

#### BC Freedom of Information and Protection of Privacy Act (FIPPA)

See: [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96165\\_00](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96165_00)

#### Duty to Report Child Abuse or Endangerment in BC

See: <https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/reporting-child-abuse>

See: [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00\\_96046\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96046_01)

**PLEASE DO NOT HESITATE TO ASK QUESTIONS OR VOICE CONCERNS ABOUT ANY OF THE ABOVE INFORMATION**