

PERSONNEL FILES

Background

The Division shall maintain personnel files for its entire staff and shall permit access to such files in accordance with legislation, any applicable collective bargaining agreement and these administrative procedures.

Information shall only be maintained in the personnel files of staff members of which they are aware or of which there are reasonable grounds to believe they are aware.

Procedures

1. The Director or designate shall be responsible for the administration and maintenance of personnel files.

The Director or designate has decision-making power regarding access to personnel information.

2. Access to personal information of a staff member shall be given under the Collective Agreement (for teachers) and in the circumstances permitted under the *Local Authority Freedom of Information and Protection of Privacy Act* and Administrative Procedure 180.

A staff member whose personal information is contained in a record in the possession or under the control of the Division has a right to access the record upon written application and upon giving sufficient proof of identity to the Director or designate.

Staff members may consent to the disclosure of their personal information to a third party in which case written authorization signed by the staff member shall be delivered to the Director or designate before disclosure is made and authorization be maintained in the personnel permanent file.

For purposes related to the administration and maintenance of existing or proposed activities or programs of the Division, access to staff member information and files shall be given to the following:

- 2.1 The immediate supervisor of a staff member and those who have departmental authority over the staff member, with the approval of the Director or designate;
 - 2.2 Administrative staff to whom the staff member has been referred by the Director or designate as a candidate for a position vacancy;
 - 2.3 Authorized Human Resources staff;
 - 2.4 Senior administration.
3. A staff member shall make arrangements with the Director or designate for an appropriate time and place convenient to both the staff member and Director or designate to peruse his or her file.

The staff member shall be free to peruse his or her file in the presence of the Director or designate during the time arranged.

- 3.1 The file contents examined may not be removed by the staff member from the location of the examination but the Director or designate shall, at the request of the staff member, provide a copy of any and all records to which the staff member has been granted access. The Director or designate may charge copying fees.
4. The Director or designate may refuse to disclose to an individual personal information that is evaluative or opinion material compiled solely for the purpose of determining the individual's suitability, eligibility, or qualifications for employment or promotion.
 - 4.1 The presence of any documents submitted in confidence shall be identified to the staff member.
5. An individual who has access to a record that contains personal information with respect to himself or herself is entitled to:
 - 5.1 Request correction of the personal information contained in the record if the person believes that there is an error or omission;
 - 5.2 Require that a notation be made that a correction was requested but not made.
 - 5.3 Submit a written comment with respect to any entry in the file. Such comment shall be attached to the relevant document and included in the file.
6. Within 30 days after a request pursuant to Administrative Procedure 180 is received, the Director or designate shall advise the individual in writing that:
 - 6.1 the correction has been made;
 - 6.2 a notation pursuant to Administrative Procedure 180 has been made.
7. The staff member shall acknowledge the examination of information by signing a dated statement to that effect. Such statement shall be retained in the personnel file.
8. Information to be contained in staff member files are to be current and relevant to employment and would be limited to the following:
 - 8.1 Application for employment form.
 - 8.2 Current resume, if submitted.
 - 8.3 Medical information form.
 - 8.4 Photocopy of social insurance number card and birth certificate.
 - 8.5 Signed letters of acceptance of offers of employment.
 - 8.6 Police security clearance letters and supportive documentation.
 - 8.7 Department authorizations of employment.

- 8.8 Annual supervision reports – these are to be retained no longer than for the five school years immediately preceding the current year.
- 8.9 Performance appraisal forms.
- 8.10 Annual personal development reports– these are to be kept no longer than five years.
- 8.11 Disciplinary letters (subject to any limitations that may be present in collective agreements).
- 8.12 The relevant and important documents deemed necessary for employment records, i.e.
 - 8.12.1 payroll memos
 - 8.12.2 transcripts
 - 8.12.3 re-classification forms
 - 8.12.4 parental leave and long-term leave requests
 - 8.12.5 SUB plan application forms
 - 8.12.6 change of status forms
 - 8.12.7 notification of change of name

Legal Reference: Section 85, 87, 108, 109 Education Act
Local Authority Freedom of Information and Protection of Privacy Act
Collective Agreement