Office of the Vice-President Academic & Provost

To: EC and all Department Chairs, Directors of Schools, Department Heads

From: Amit Chakma, Vice-President Academic & Provost

Re: Freedom of Information and Privacy Protection Act [FIPPA]

Date: March 21, 2006

FIPPA legislation was enacted in Ontario in the late 1980s and most private and public institutions were mandated to comply with it. Universities at that time made representation to the provincial government that, for a variety of reasons, they were different from other organizations and warranted exclusion. The provincial government was persuaded on the condition that universities put in place practices that were in the spirit of the legislation.

COU engaged legal counsel to prepare a FIPPA template which universities were expected to adopt. UW did, and has been operating with Privacy Protection, Freedom of Information Guidelines (see policy 19, Appendix A at: http://www.adm.uwaterloo.ca/infosec/Policies/policy19.htm) since the mid 1990s.

A couple of years ago, following a “freedom of information” request made to universities, the response to which was deemed less than satisfactory, the provincial government renewed its interest in having universities under FIPPA legislation. Universities again, through COU, argued for a sector exclusion, but this time were unsuccessful and so, effective June 12, 2006, universities will come under FIPPA legislation.

In the circumstance, COU has again done what it did in the 1990s: engage a couple of wise heads, with recognized expertise and experience in FIPPA compliance within the university sector, to work with a small task force to produce both documentation and an implementation plan which universities can use. The roll-out of deliverables is scheduled to start March 13 and end May 5. And while there will be more prescriptive directions on how universities must deal with freedom of information and privacy protection matters, the principles on which all is based remain similar to those articulated in UW’s Policy 19.

In anticipation of preparing UW for FIPPA compliance, I have asked Lois Claxton to chair a committee to address implementation. Bruce Mitchell, Jack Rehder, Catharine Scott, Susan Sykes, and Roger Watt have also agreed to serve. Terms of Reference for this small committee are straightforward: in concert with COU’s work / recommendations on implementation of FIPPA, to recommend on documentation, implementation, training and resources which UW will require to ensure compliance with FIPPA and, to the extent possible, to harmonize them with PIPEDA requirements. The Committee will consult across campus, as necessary.

AC/kg