



University
of Victoria

Fact Sheet

Access, Records Management and Privacy Guidelines for Search Committees

Introduction

1. As a member of a search committee, you will be provided with a variety of records, including letters of application, resumes, and reference reports. In the course of participating in the search process, you may annotate these records or create new records regarding various candidates, including ranking forms, comment sheets, and score cards.
2. The search committee will keep a confidential summary record of its decisions and actions. Deliberations of the Committee concerning candidates are not to be recorded.
3. UVic is subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA). Under section 31 of the FIPPA, if UVic uses an individual's personal information to make a decision that directly affects the individual, UVic must retain that personal information for at least one year from the date of the decision so that the affected individual has a reasonable opportunity to obtain access to that personal information.
4. Retention rules for all University records are set out in the [Directory of Records](#).
5. With the foregoing retention obligations in mind, this Fact Sheet has been developed in order to provide search committees with guidance regarding the creation, use, and retention of records.

Creation of Records

6. Individual members of the search committees should keep in mind that the committee must evaluate candidates in an unbiased and principled manner, relying upon fair and defensible selection criteria, including when creating records that will be used by the committee in its decision-making process. For reference, specific obligations with respect to each employee group can be found as follows:
 - CUPE 917 – article 16
 - CUPE 951 – article 16
 - CUPE 4163 (Components 1 & 2) – article 13
 - CUPE 4163 (Component 3) – article 13

Retention of **Application Materials** (Including Reference Letters)

7. Where the Committee receives candidate materials in support of an application and where those materials are used by the Committee to make a decision regarding the application, the Hiring Manager to the Committee must retain a copy of the application materials received by the Committee for at least one year after the decision has been made. Only one copy needs to be retained. Unless there is an operational need to retain the records for longer than one year, the records are to be disposed of in a secure manner as soon as possible after the one-year period has expired. Retaining personal information longer than necessary greatly increases the risk of an inadvertent disclosure of personal information contrary to the FIPPA. Failure to properly dispose of personal information also puts personal privacy at risk contrary to the FIPPA.

Cross-cut shredding is an accepted form of secure disposition. Individual members of the selection committee should return their copies of the application materials to the Hiring Manager immediately after the decision has been made for secure disposition.

Retention of **Personal Notes and Annotations**

8. The individual members of search committees are usually expected to review application materials in advance of the meeting at which the search committee will make its assessment. In the course of preparing for such meetings, individual members of the search committees may make notes or annotate the application materials for their own personal reference in order to remind themselves of points that they wish to raise for discussion at the meeting. **Provided that those notes are used only for personal reference and are not distributed to any other members of the selection committee**, those records are not considered to be used by UVic to make a decision (since the decision is made by the search committee collectively and not by individual members). Therefore, they are not required to be retained for a minimum of one year under the FIPPA. In order to protect the personal privacy of candidates, **those notes and annotations must be securely disposed of as soon as possible by the committee members.**

Retention of Other Records Generated by Selection Committee Members

9. Some materials generated by the members of search committees are not used purely for personal reference. For example, individual committee members may be asked to complete a score sheet or ranking form which will be collected by the committee Hiring Manager and tabulated to generate an overall ranking or score upon which the committee will base its decision.

10. A member of the selection committee may take notes of the discussions at committee meetings. These notes form the basis for the summary record. Therefore, notes can be considered transitory and should be securely destroyed upon approval of the summary record. Any records that are relied upon by the selection committee to make its decision must be retained by the committee Hiring Manager for at least one year and, usually after that year has expired, must be disposed of in a secure manner. There may be certain records that, for the purposes of supporting future searches or to improve future search procedures, may be selectively kept for longer than one year.

Access to Records

11. Under the FIPPA, any person may request that UVic disclose records, regardless of whether those records were relied upon to make a decision. UVic's obligation to respond to such a request is limited to those records that are in its custody or under its control at the time the request is made. If records have been disposed of (as set out above) prior to a request having been made, then UVic no longer has any obligation (or ability) to disclose those records.
12. If UVic still has custody or control of records that are responsive to the request, then those records will be reviewed by UVic's Access Officer, who will review the extent to which those records should be disclosed. In making this assessment, the Access Officer must adhere to the requirements of the FIPPA. In most cases where an applicant is requesting records containing information about himself/herself, the FIPPA requires UVic to disclose those records to the applicant. However, there are limited exceptions in the FIPPA that may permit or even require UVic to redact information in those records such as, for example:
 - (a) information that reveals advice or recommendations provided by committee members;
 - (b) information that reveals the content of a personal recommendation, evaluation or character reference or a personnel evaluation where the applicant knows or could ascertain the identity of the individual providing this recommendation, evaluation or reference; and
 - (c) information that cannot be disclosed without unreasonably invading the personal privacy of other individuals.

The identities of those who are serving on search committees are a matter of public record.

Summary

13. **In summary, you as a committee member have access to search materials for the purpose of recommending a candidate. Your access to these materials is for the duration of the search. You are expected to either return the materials to the committee Hiring Manager or securely dispose of the materials as called for above. You should not retain these materials.**