

Meeting Notes



Q & A

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Q: I am a principal and I have been keeping notes of meetings that I have with students, parents and staff members. Are these my personal private notes or are they considered a record of the board?

A. Your meeting notes can be accessed under the *Freedom of Information and Protection of Privacy Act* (FOIP).

The board is a public body under FOIP. FOIP grants a right of access to any record of a public body, subject to specific and limited restrictions. You are an employee of the board acting in a senior administrative position. Your notes are evidence of the activities of a public body; therefore, they are subject to several provisions of the FOIP Act, including the right to access, a minimal retention period, and security/protection requirements.

Section 2 of FOIP outlines the Act's purpose:

2 (a) to allow any person a right of access to the records in the custody or under the control of a public body subject to limited and specific exceptions as set out in this Act, ...

Section 6 outlines an individual's statutory right of access:

6(1) An applicant has a right of access to **any record** in the custody or under the control of a public body, including a record containing personal information about the applicant. [emphasis added]

Section 35 outlines your duty to retain information for one year:

If an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must

(a) make every reasonable effort to ensure that the information is accurate and complete, and

(b) retain the personal information for **at least one year**... [emphasis added]

Section 38 outlines your duty to protect information under the board's custody and control.

38. The head of a public body must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction.

Given the purpose and structure of the FOIP Act, there is no statutory support for the argument that a principal's meeting notes are exempt from access. In other words, those notes are "FOIP-able."

Tips for generating meeting notes

1. Be factual, not editorial.
2. Be accurate and complete in your note-taking.
3. Avoid extraneous marks (doodles, unrelated content).
4. Date the notes and list the participants and their role in the meeting (eg, Principal Smith, Superintendent Adams, Ms McKenzie [parent]).