#### Trent University LogoEXEMPT JOB DESCRIPTION

**Job Title:** Governance & Access/Privacy Officer

**Job Number:** X-323 | VIP: 1030

**Band:** EXEMPT- 6

**Department:** University Secretariat

**Supervisor Title:** University Secretary

**Last Reviewed:**  October 7, 2022

#### **Job Purpose:**

As Governance Officer, liaises with senior administration and their staff to ensure timely and coordinated reporting to governing bodies. Provides general administrative support to the Board of Governors, Senate and their respective committees, subcommittees, and task forces, plus full administrative, policy and volunteer support for one or more standing committees (planning, managing work plan and agendas, crafting motions, preparing draft minutes, writing reports, etc.), as assigned. Coordinates select projects or special events as required. Provides a high level of administrative and technical support for the day-to-day operations of the University Secretariat, and supervises the Coordinator, Board and Senate Support.

Serves as the University’s Access/Privacy Officer, managing freedom of information requests, collaborates on institutional privacy policies for approval by senior administration or the Board of Governors, and, under the supervision of the University Secretary or designate, provides orientation and advice to all areas of the University on legislative compliance, best practices, privacy risk assessment, privacy breach management and policy interpretation. Coordinates institutional compliance with current and emerging privacy legislation, including development of policy, procedures, programs, etc. by committees and/or task forces charged with this work.

Facilitates University policy development and manages policy review and approval through the appropriate processes.

#### Key Activities:

***Governance:***

1. Provides governance support services for the Board of Governors, Senate, Board and Senate committees, and backup to University Secretary and/or Associate University Secretary on an as-required basis.
2. Coordinates and provides full administrative support for assigned Committees or task forces, including development of annual work plans, meeting agendas, itineraries, reports, draft policies, or policy revisions, briefing notes, etc.
3. Liaises with senior administration and staff to ensure committees receive the documentation needed to make timely and effective decisions, action items from the committee are followed-up as appropriate by administration, and correct and timely approval processes are followed.
4. Develops formal resolutions for Committee recommendations to the Board of Governors.
5. Assists Committee chairs before, during and following meetings in matters of governance process and precedent, approval processes, and content of reports to the Board.
6. Ensures meeting items are completed and distributed in time to meet statutory and Board deadlines.
7. Provides support, resources, and orientation to ensure smooth transition of committee leadership.
8. Takes minutes and ensures official records are kept of all meetings including confidential and in camera sessions.
9. Provides confidential secretarial support for special projects (e.g. Chancellor searches, Presidential reviews/searches, task forces supported by the Secretariat).
10. In the absence of the administrative clerk, additional responsibilities, as required, include:
	1. Oversight of volunteer support, detailed arrangements for on-site and off-site meetings and events, scheduling and rescheduling of meetings and conference calls, preparation of large volume electronic postings that may include sensitive and confidential material, review of finished Board and Senate documents, maintenance of official membership records including membership lists, email distribution groups, biographical information, appointments database, annual corporate filings.
	2. Provides high level of technical support for the Board of Governors and Senate portals, Secretariat web pages, electronic elections, meeting presentations and document production. Responsible for keeping governance portals updated using Microsoft SharePoint and instructs new users on accessing material through the portals.
	3. Organizes logistics (e.g. invitations, signage, maps, catering, room set-up, equipment, speakers, etc.) for Board and Senate orientations, Board planning sessions, in-service training (pre-sessions), end-of-year luncheon. Provides general administrative assistance to the University Secretariat, including handling of purchase orders, courier arrangements, budget tracking and other office management tasks.

***Access/Privacy:***

Under the general supervision (as required) of the University Secretary or designate:

1. Responds on behalf of the University to all internal and external queries regarding freedom of information and protection of personal privacy.
2. Coordinates the formal request process for access to information under the *Freedom of Information and Protection of Privacy* *Act (FIPPA).*
3. Advises senior administration on the correct application of access and privacy legislation (FIPPA, PHIPA, and PIPEDA) and prepares decision letters in response to access requests.
4. Develops privacy protection policies and best practices, advises departments and administration on privacy dimensions of new initiatives, develops privacy schedules for contracts, and prepares information collection notices to support legislative compliance.
5. Prepares the University’s Annual Report to the Ontario Information & Privacy Commissioner (IPC) and liaises with IPC on behalf of the University in matters relating to formal access appeals, privacy complaints and privacy breaches.
6. Responds to privacy complaints and privacy breaches (real or potential) in consultation with the University Secretary or designate and advises senior administration on the management of privacy breaches, including review of advice from legal counsel.
7. Represents the University on COU Access/Privacy Task Force and provincial FIPPA Coordinators group.
8. Reports to the Board of Governors annually on FIPPA compliance.
9. Compiles and updates annually the University’s FIPPA Directory of Records.
10. Develops privacy training content and educational materials on best practices for employees and delivers in-person privacy training on an as-needed basis.
11. Plans, coordinates, and chairs meetings of access/privacy related working groups (CASL Task Force, GDPR Working Group, etc.) and advances its work through the appropriate levels of senior administration on an as-needed basis.
12. Keeps abreast of new developments and emerging issues/standards in this field, and monitors decisions (by IPC, courts, arbitrators, etc.) that could have an impact on the University; coordinates implementation of changes in policies and/or procedures at the University as appropriate.

***Policy:***

1. Provides guidance on the appropriate approval process for Board-approved, academic, and administrative policies, procedures, and guidelines.
2. Coordinates review of proposed policies by the University Policy Review Committee and coordinate meetings, as required.
3. Coordinates the community consultation process, including, but not limited to, communication with the unions.

#### Education Required:

* General Bachelor’s Degree (3 year).
* Formal training in access and privacy.

#### Experience/Qualifications Required:

* 3-5 years’ executive secretarial experience in a fast-paced office environment plus one year of directly related experience dealing with access and privacy legislation.
* Executive secretarial experience working with volunteer boards.
* Understanding of University and governance issues, best practices in governance and volunteer support.
* Sound knowledge of University and Board policies.
* Thorough knowledge of and familiarity with access and privacy legislation and related policies and practices, in particular the *Freedom of Information and Protection of Privacy Act* (*FIPPA*), Personal Health Information Protection Act (PHIPA), *Canada’s Anti-Spam Legislation* (*CASL*), and General Data Protection Regulation (GDPR).
* Experience working within a confidential office environment and demonstrated ability to maintain confidentiality.
* Experience with all aspects of meeting management; other event management experience an asset.
* High degree of proficiency with the Microsoft Office suite (esp. Word and PowerPoint) and Adobe Acrobat.
* Experience maintaining websites, preferably using Drupal.
* Experience with web portals (esp. Microsoft SharePoint).
* Experience supporting users of audiovisual equipment during meetings.
* Excellent interpersonal and communications skills (diplomacy, discretion, good judgement, strong oral and written communications skills).
* Experience with providing training to individuals and groups.
* Excellent time management skills, and ability to manage competing expectations, juggle multiple priorities, and work to tight deadlines.
* Attention to detail and strong proofreading skills.
* Experience with budget tracking.

**Job Evaluation Factors:**

### Analytical Reasoning

The job requires an anticipatory mindset and an ability to be proactive in preparing for and addressing issues in multiple areas (meetings, policy, legislative compliance, etc.). It also requires an ability to synthesize complex information and understand the implications for governance and administration. This requires drawing on broad knowledge and “connecting the dots” with respect to precedent, statutory and policy requirements, due diligence, contractual obligations, Board culture and membership, etc.

### Work example:

As Access/Privacy Officer, the incumbent receives a freedom of information request and must advise the VP who has custody of the information whether the records must be disclosed under the legislation, which portions need to be severed from the record, and which exemptions or exclusions can/should/must be applied. Because Ontario universities only came under the *Freedom of Information and Protection of Privacy Act* (*FIPPA*) in 2006, there is much conflicting advice and a continuing lack of precedent for university-specific situations (care & custody, research records, peer review, etc.) As well, the University’s obligations to disclose contract information are not well understood by third party suppliers, with the result that many proposals and contracts contain proprietary information that has not been designated confidential but may still need to be protected.

In mapping out the University’s decision, the Access/Privacy Officer must consider both the letter and intent of the legislation, which pieces of legislation (*FIPPA, PHIPA, PIPEDA)* apply, knowledge of the Commissioner’s past decisions in other sectors, any related jurisprudence, the appropriate exercise of discretion in applying exemptions, the approach that other universities have taken to similar requests, the risk that the decision will be appealed, and the strength of any arguments for denying access. S/He just also decide when it is necessary to consult with an affected third party and how to correctly apply the privacy protection provisions of the Act to the records.

### Decision Making

In the Governance role, the incumbent must make decisions on the proposed language for committee recommendations that will go forward to the Board as formal resolutions. The incumbent must develop wording that reflects intent, meets statutory/due diligence/legal requirements and ensures clarity and consistency with other policies. These decisions must often be made quickly, within the time constraints of a meeting, and without the opportunity to research, reflect, or seek guidance from other personnel.

In the Access/Privacy role, the incumbent functions quasi-independently in interpreting internal and external regulations for all areas of the University. Advice on best practice, collection notices, and management of privacy breaches, contractual privacy provisions, policies and procedures is normally provided directly and without reference to any other individuals in the organization, except where legal advice is required.

### Impact

Misrepresentation of a Board committee’s recommendation could result in that recommendation being turned back at the Board level, resulting in missed deadlines, construction delays, financial loss or potential cancellation of a contract and/or embarrassment to the Board and administration. Poor or inaccurate presentation of material reflects badly on the senior administration and on the Chair of the committee making the recommendation. This type of error has a negative impact on the reputation and credibility of both the Secretariat and senior administration. It can lead to volunteer dissatisfaction and in the worst case, resignation of a Board member.

A poorly crafted Board resolution can also lead to problems of interpretation in the future including ambiguity or misinterpretation of the Board’s intent, unclear precedent on which to base future decisions, or failure to meet a contractual or statutory requirement. A single word used incorrectly in the official record can create significant future governance and/or jurisdictional issues.

An incorrect ‘call’ by the Access/Privacy Officer on the disclosure of records (i.e. improper disclosure of personal or third party information, or withholding of information that should be made public) is likely to result in one or more of the following harms: formal appeals against the University’s decision and associated costs, litigation, privacy complaints, compliance investigations/public censuring of the University, negative media coverage, reputational damage, fines, privacy breaches, IPC orders to change systems, policies and/or procedures.

### Responsibility for the Work of Others

Direct Responsibility for the Work of Others:

* Supervisor for the Coordinator, Board and Senate Support, assigning tasks, monitoring work for accuracy, overseeing performance, and coordinating training and development.

Indirect Responsibility for the Work of Others:

* Primary liaison with part-time administrative clerk as relates to coordination and assignment of logistical details relating to general office support.
* Responsible for organizing work and coordinating outcomes required from members of specific administrative task forces (e.g. CASL task force).

### Communication

### Internal Contacts:

* President and Office of the President staff - convey messages between President and Board members, discuss agenda items, negotiate meeting times and rescheduling
* Vice presidents - answer queries, consult on agendas, requirements for Board report, Board and Committee liaison
* Associate VPs/directors - seek information, discuss timing, content of reports to Board and Committees
* University Secretary and Associate University Secretary - discuss work plans, schedules, documents, events, office business, Secretariat projects and activities
* Coordinator, Board and Senate Support as relates to supervisory role and coordination of work-flow relating to general office logistical duties.
* Administrative department managers - make requests, give or seek advice, question items, discuss procedures, provide training as needed
* Academic department chairs - as above; answer inquiries on Board/Senate activities
* General university community - (faculty, staff, students) - answer queries on governance matters within own role
* Internal Board/Senate members - answer inquiries, provide instructions on governance matters within role
* Unions and general university community – policy consultations

### External Contacts:

* Committee chairs: consult re: meeting agendas, follow-up and action items, liaison with senior administration
* External Board members - (current, former, honorary) - make requests, provide information on matters within role, provide front-line volunteer support
* University suppliers – communicate meeting requirements (as required), freedom of information requests affecting third parties
* General public – government offices, answer general inquiries on Secretariat’s areas of responsibility, respond to Freedom of Information requests and inquiries (including media inquiries)
* Ontario universities FIPPA coordinators – discuss issues and requests, participate in working groups and presentations
* COU Task Force on Access and Privacy – represent Trent on this task force dealing with larger FOI/privacy issues affecting the University sector
* Ministry of Government Services/IPC – discuss FIPPA compliance

### Motor/Sensory Skills

* Produce finished documents with high degree of accuracy to tight deadlines
* Post meeting material to portal under tight deadlines, with high degree of accuracy
* Assist governors and guests with on-the-spot technical needs at meetings
* Proofread long documents with goal of 100% accuracy
* Work at computer screen for most of every day
* Document long and complex discussions at meetings for official university records, summarizing effectively for meaning
* Pay close attention to hear members on speaker phones or in rooms where acoustics are poor

### Effort

* Maintain alertness for continuous minute-taking of detailed subject matter over 2-3 hours
* Remain calm and focused when there are multiple demands during a meeting or when faced with sudden changes of direction (e.g. technology failure, advice required by the Chair, questions raised regarding policy, approval processes, etc.)
* Deliver material required by Board and Committees under tight timelines
* Respond to Freedom of Information requests within the required timelines
* Manage multiple and competing priorities
* Extended minute-making may lead to cramping of hand, neck and back
* Transport meeting materials and supplies especially with off-site locations

### Working Conditions

* Any decision by the Board, but especially controversial ones, have the potential to provoke disagreement, animosity, protest, and in extreme cases, aggression from individuals or groups of stakeholders. The incumbent must remain calm, neutral and courteous in processing requests and dealing with opposing views from all sides.
* Incorrect information provided to governance and decision makers may have far-reaching and serious negative consequences. Incumbent must take proactive steps to be prepared in uncertain situations and able to draw quickly and decisively on authoritative information.
* Any privacy breach may cause individuals or groups to become irate or abusive. Breaches must be approached in a calm, responsive matter as mishandling may lead to reputational harm of the University.
* The position involves working at a computer on highly detailed material for extended periods of time
* Remaining seated at meetings for long periods of time
* Occasional Board and/or Committee meetings involving extended hours and non-discretionary out of town travel