



a place of mind

GUIDELINES FOR PERSONNEL FILES

These Guidelines are based on and subject to the requirements of the faculty collective agreement (see Art. 7.1 of the *Framework Agreement*), the University's policies on records management and the *Freedom of Information and Protection of Privacy Act*, as well as general good practices.

DEFINITION, USE AND LOCATION OF FILE

1. The personnel file for a Faculty Member, Librarian, or Program Director (the "member") is comprised of confidential files concerning the member's employment at UBC, residing in the office of the Head, the office of the Dean or Principal, the unit's Human Resources Office (if one is in place) and the office of Faculty Relations (at UBCV) or the office of Human Resources (at UBCO), any of which may be used in decisions regard terms and conditions of employment of the member. The file is kept as a general record of employment and is used for various purposes including decisions regarding terms and conditions of employment (such as merit, tenure and promotion and discipline), and other administrative purposes. A Faculty Member includes regular faculty in the teaching and professoriate ranks, 12 month lecturers and sessional lecturers.

CONTENTS OF FILE

2. The personnel file of each member is meant to hold only material pertaining to the member's employment and may include, but is not limited to:
 - a) curriculum vitae
 - b) any university transcripts supplied by the member at the time of application by the member for his or her first appointment
 - c) offer letters
 - d) teaching evaluations (numeric results and, depending on the department, comments)
 - e) letters of reference and appraisal
 - f) compensation and work history, including documents regarding study leaves, salary increases, awards, additional duties, etc.
 - g) disciplinary material (including investigation reports)

- h) recommendations and decisions about reappointment, tenure or confirmation, promotion, and/or continuing status
- i) letters containing personnel decisions concerning the member
- j) correspondence with the member
- k) annual summaries of activities of members

Files created for purposes of a reappointment, tenure, confirmation, or promotion review, are part of the personnel file.

- 3. Anonymous or unsolicited complaints or concerns, other than student evaluations of teaching, will not be included in the personnel file unless they have given rise to an investigation and/or verification. Medical information, such as medical notes and accident/incident reports, should be kept in a separate confidential file.
- 4. The University shall endeavour to inform a member within sixty (60) days of any negative material which is added to the member's file outside a formal review process and without the knowledge of the member.

CONFIDENTIALITY

- 5. Personnel files contain personal information. They are private and confidential (and should be marked as such). Access to personnel files is limited and controlled. Files must be stored in a secure area or a locked cabinet, with restricted access.

MEMBER ACCESS TO FILE

- 6. A member has the right, during normal business hours, upon reasonable notice and at a mutually convenient time, to view the material in his or her own file, with the exception of confidential letters of appraisal and reference. This review must be carried out in the presence of a person designated by Faculty Relations or Human Resources. Members are required to provide identification before access to the personnel file is granted.

The member may not remove the file or any of its contents from the office. On written request, the member can receive a copy of any document in the personnel file, with the exception of confidential letters of reference or appraisal.

A member's right to view his or her file is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If there is a question regarding the right to access a file or the right to view certain information in the file, the unit should contact Faculty Relations (UBCV) or Human Resources (UBCO), or the University's Access and Privacy Office: universitycounsel.ubc.ca/information-and-privacy/.

CONFIDENTIAL LETTERS OF REFERENCE/APPRAISAL

- 7. Letters of reference or appraisals obtained for appointment, tenure or confirmation, or promotion decisions are confidential and **must not** be shown to a member. The authorized representative of the university who oversees/attends the member's viewing **must** ensure confidential letters of reference or evaluations have been removed prior to viewing.

RIGHT TO INCLUDE COMMENTS IN FILE

8. The member is able have included in his or her file any written comments on the accuracy, relevance, meaning or completeness of any of the contents of the file.

ELECTRONIC MATERIAL

9. Members also have access online to the Faculty and Staff Self Service Web Portal, where they may view current and historical information about their payroll, benefits, and other information: see: www.auth.cwl.ubc.ca/auth/login?serviceName=pssslogin.

ARCHIVING

10. A member's personnel file will be stored onsite while employed at the University and for one year following his or her "end date", after which time it may be stored offsite in a secured facility. The end date is defined as when a faculty member resigns, retires or is dismissed and/or when all post-retirement contracts have expired and the faculty member has ceased regular attendance on campus and maintenance of a post-retirement office on campus. A member's file will be destroyed one hundred (100) years after the member's birth date.

RELEASE OF INFORMATION TO THIRD PARTIES

11. Access to information in the personnel file of any member will not be granted to any other person, organization or institution, except for internal University administrative purposes, without the express written consent of such member, unless required by law. The University will require proof that disclosure is required by law before information will be disclosed to any third party on that basis. The University shall notify the member concerned immediately of such access, unless such notification is prohibited by law. Any request by a third party for production of documents in a personal file should be referred immediately to the University's Access and Privacy Office: universitycounsel.ubc.ca/information-and-privacy/.