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Surveys and Privacy

This document applies to researchers using a VIU-licensed survey tool that stores data in Canada. Researchers planning to use online survey companies are responsible for reviewing the relevant laws on storage and access, such as [section 30.1 of the BC Freedom of Information and Protection of Privacy Act \(FIPPA\)](#).

1. Introduction

Surveys are an effective data-collection tool for informed decision making, and they are often the go-to research method. But before you begin spending time and effort on survey development, it is important to be aware of the legal and ethical issues around protecting the privacy of survey participants. The following guide will help you to:

- Conduct surveys that comply with the British Columbia Freedom of Information and Protection of Privacy Act (FOIPPA)
- Understand what personal information is and how to protect it before and after administering a survey
- Learn the difference between anonymity and confidentiality in the context of surveys

2. What is the Freedom of Information and Protection of Privacy Act (FOIPPA), and how do I conduct a survey that is FOIPPA compliant?

The purpose of the FOIPPA is two-fold:

- To make public agencies more accountable by providing the public the right to access records
- To protect individual privacy by preventing the unauthorized collection, use, or disclosure of personal information

Under sections 26(c) and 26(e) of the FOIPPA, VIU is allowed to collect personal information if it is necessary for planning or evaluating programs or activities. As soon as any personal information is collected, FOIPPA governs how it is to be used, stored, and protected.

3. What is personal information and how can I follow proper guidelines to protect it?

The FOIPPA defines personal information as “any recorded information about an identifiable individual other than their business contact information.” This includes any information that can be used to identify someone in combination with other available

data. See the following examples for a better sense of what, exactly, personal information is:

| | |
|----------------------------------|--|
| ✓ Name, age, sex, weight, height | ✓ Income and financial information |
| ✓ Home address, phone, email | ✓ Personal views and opinions |
| ✓ Race, ethnicity, religion | ✓ Gender identity and sexual orientation |
| ✓ Student or employee number | ✓ Marital or family status |

The easiest way to avoid legal and ethical issues around personal information is by conducting an anonymous survey. It is important to know the difference between anonymous and confidential, as they are often confused in survey design.

4. What is the difference between confidentiality and anonymity?

4.1 Confidential surveys

In confidential surveys:

- The identity of participants and responses could be known to researchers
- VIU researchers are obligated to protect personal data from unauthorized access, use, modification, loss or theft
- When reporting, survey results are aggregated so individual responses cannot be attributed to any particular person

4.1.1 Sample introductory consent statement

The sample below includes the key elements of an introductory consent statement for confidential surveys.

You are invited by [state who is asking for the information] to participate in the [**title of survey**]. This survey will be used to [describe your objective and planned use of data]. The information you provide will not be used for any other purpose.

Completing this survey is optional. You are free to stop answering the survey at any time. If you decide to complete this survey, you may choose which questions to answer and you may stop the survey at any time before completing.

Font type: Keep the font type, style, and size consistent throughout the informed consent document.

Responding to all questions will take about [x to x minutes].

Your responses are confidential. Only authorized personnel from [*department or faculty*] will have access to raw data and responses that can be linked to individuals. Proper measures will be taken to protect your confidentiality.

Your written comments may be used for reporting purposes. Information you provide in your comments that may identify you will be removed to the extent possible.

Any personal information is being collected under the authority of Section 26(e) of the Freedom of Information and Protection of Privacy Act (FOIPPA).

If you have any questions about this survey, please contact [insert full name, phone number, e-mail address].

Before continuing, please select your choice below. Clicking "Agree" means that:

- I have read the information above
- I voluntarily agree to participate

Agree

Disagree

Limits to confidentiality: Participants must be informed of any limits to confidentiality. Limits to confidentiality are assessed by the researcher and need to be considered in the context of the research on a case-by-case basis.

Privacy notification: The privacy notification must go in the consent statement that participants receive before agreeing to take the survey.

Survey software tip Users cannot skip this question. Place a mandatory agree/disagree question. If the user consents, continue to the first page of survey questions. If the user does not consent, take them to the end of the survey.

4.1.2 Sample invitation email

The survey invitation email must include information on the type of survey (i.e. confidential or anonymous), as well as the purpose and use of the survey results.

Suggested wording for drafting your confidential survey invitation email.

Dear {FIRSTNAME/Participant},

You are invited by [*state who is asking for the information*] at Vancouver Island University (VIU) to participate in the [**title of survey**] or the following survey. This survey will be used to [*describe your objective and planned use of data*]. The information you provide will not be used for any other purpose.

Consistent language: Copy the same opening paragraph on purpose and use of data that was used in the introductory informed consent.

Your participation in this survey is completely voluntary and you may opt out of any question in the survey. All of your responses will be kept confidential.

The survey is available until [Date].

To participate in the survey, please click on the link below.

{SURVEYURL}

Sent by {insert office/administrator name} on behalf of the {insert area/department/service/faculty name}.

<If your survey is being sent to a user's email address, the following wording should be used> Please do not forward this e-mail as the link to the survey is connected to this e-mail address.

If you have any questions about this survey, please send an email to {insert VIU contact email address}.

If you do not want to participate in this survey and don't want to receive any more invitations please click the following link:

Survey tip: Always provide an option not to participate.

{OPTOUTURL}

4.2 Anonymous surveys

In anonymous surveys, you cannot collect any data that could be used to find a respondent's identity. For example, asking for Indigenous status, tenure at VIU, and age could be used to identify a respondent. If you want to conduct an anonymous survey, keep the following in mind:

- The identity of survey respondents is not known or identifiable to researchers
- Researchers cannot collect any personal information that could be used to identify survey participants
- Researchers cannot collect any information that could be used to match individual participants to survey responses

Survey software tip: In most online survey software, the survey can be set to "anonymized responses" in the settings. This will ensure that there is no way to connect answers to participants through IP addresses or other meta-data.

4.2.1 Sample introductory consent statement

The sample below includes the key elements of an introductory consent statement for anonymous surveys.

You are invited by [state who is asking for the information] to participate in the [**title of survey**]. This survey will be used to [describe your objective and planned use of data]. The information you provide will not be used for any other purpose.

Font type: Keep the font type, style, and size consistent throughout the informed consent document.

Completing this survey is optional. You are free to stop answering the survey at any time. If you decide to complete this survey, you may choose which questions to answer and you may stop the survey at any time before completing.

Responding to all questions will take about [x to x minutes].

This survey is anonymous. Only authorized personnel from [department or faculty] will have access to raw data. However, responses cannot be linked to individuals. Your anonymity cannot be guaranteed if you identify yourself through written comments.

Your written comments may be used for reporting purposes. Information you provide in your comments that may identify you will be removed to the extent possible.

Privacy notification: The privacy notification must go in the consent statement that participants receive before agreeing to take the survey.

Any personal information is being collected under the authority of Section 26(e) of the Freedom of Information and Protection of Privacy Act (FOIPPA).

If you have any questions about this survey, please contact [insert full name, phone number, e-mail address].

Before continuing, please select your choice below.
Clicking "Agree" means that:

- I have read the information above
- I voluntarily agree to participate

Agree

Disagree

Survey software tip: Users cannot skip this question. Place a mandatory agree/disagree question. If the user consents, continue to the first page of survey questions. If the user does not consent, take them to the end of the survey.

4.2.2 Sample invitation email

The survey invitation email must include information on the type of survey (i.e. confidential or anonymous), as well as the purpose and use of the survey results.

Suggested wording for drafting your anonymous survey invitation email.

Dear {FIRSTNAME/Participant},

You are invited by [*state who is asking for the information*] at Vancouver Island University (VIU) to participate in the **[title of survey]** or the following survey. This survey will be used to [*describe your objective and planned use of data*]. The information you provide will not be used for any other purpose.

Consistent language: Copy the same opening paragraph on purpose and use of data that was used in the introductory informed consent.

Your participation in this survey is completely voluntary and all of your responses are anonymous. None of the responses will be connected to identifying information.

The survey is available until [Date].

To participate in the survey, please click on the link below.

{SURVEYURL}

Sent by {insert office/administrator name} on behalf of the {insert area/department/service/faculty name}.

<If your survey is being sent to a user's email address, the following wording should be used>Please do not forward this e-mail as the link to the survey is connected to this e-mail address.

If you have any questions about this survey, please send an email to {insert VIU contact email address}.

If you do not want to participate in this survey and don't want to receive any more invitations please click the following link:

Survey tip: Always provide an option not to participate.

{OPTOUTURL}

4.3 Checklist before administering a survey

- All surveys must begin with **information on consent**. This information must appear in your survey as soon as participants open the link to the survey. Keep the font type, style, and size consistent throughout the informed consent document. Include a mandatory agree/disagree question at the end of the consent form.

Informed consent includes information on the:

- Type of survey (i.e. confidential or anonymous)
 - Purpose and use of the survey results
 - Privacy notification
- For confidential surveys, participants must be informed of any limits to confidentiality as part of the consent process. **Limits to confidentiality** are to be assessed by the researcher and need to be considered in the context of the research on a case-by-case basis (see [TCPS2 Article 5.1](#) for discussion).
 - If your survey is fully anonymous, set to “**anonymized responses**” in the survey software settings. This will ensure that there is no way to connect answers to participants through IP addresses or other meta-data.
 - All **survey invitation emails** must include information on the type of survey (i.e. confidential or anonymous), the purpose and use of the survey results, as well as an option for users not to participate in the survey.

5. Analysis of survey data

5.1 Small cell counts

Reports using the survey data will be prepared in a way that does not identify any individual. Small cell counts will be masked in accordance with the [BC Government Policy](#).

5.2 Written comments

Text responses that may identify participants must be removed prior to starting the analysis.

5.3 Incidental findings

The promise made by researchers to maintain participant confidentiality is paramount.

However, “the ethical duty of confidentiality must, at times, be balanced against competing ethical considerations or legal or professional requirements that call for disclosure of information obtained or created in a research context. For example, in exceptional and compelling circumstances, researchers may be subject to obligations to report information to authorities to protect the health, life or safety of a participant or a third party. Researchers are expected to be aware of ethical codes (such as professional codes of conduct) or laws (e.g., those requiring the reporting of children in need of protection) that may require disclosure of information they obtain in a research context” ([Tri-Council Policy Statement TCPS2 Article 5.1](#)).

6. How will the survey data be used, secured, and retained?

6.1 Use

It is important to define the scope and purpose of how the information you collect will be used. For example, if you are collecting student data for the purpose of planning a program or activity, you cannot use that same data to highlight the success of your program at a conference or in a research paper unless you have prior informed consent to do so. **All intended uses of survey data should be clearly stated in your introductory informed consent and email invitation.**

6.2 Security

FOIPPA requires VIU to protect personal information from unauthorized access, collection, and use. Your best bet is to store survey data on encrypted network drives, and never store on personal laptops, hard drives of VIU-issued laptops, USB keys or any other portable storage devices.

6.3 Retention

As recommended by the [Province of BC](#), the best practice for the retention of survey data is to “destroy, delete, or make anonymous” as soon as it is no longer required.

7. Links and Resources for Survey Ethics

Find out if your project requires Research Ethics Board approval:

- [VIU Research Ethics Board \(REB\)](#)

For further information concerning principles and standards of ethical review:

- [Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans](#)

For more information about FOIPPA, Freedom of Information (FOI) requests, and VIU Privacy Policies in general:

- [Access and Privacy at VIU](#)
- [VIU University Secretary \(FOIPPA Officer\)](#)

Privacy Resources from the Province of British Columbia:

- [Office of the Information & Privacy Commissioner of British Columbia](#)
- [BC Government Privacy Resources Website](#)
- [Freedom of Information and Protection of Privacy Act \(FOIPPA\)](#)