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| Title: Privacy Management Policy | Internal/External: Internal/External |
| Department: Corporate Services | Policy Number: CS-039 |
| Approval Date: June 21, 2022 | Implementation Date: June 22, 2022 |

BACKGROUND

The Access to Information and Protection of Privacy Act, 2015 (ATIPPA) sets out how the Town of Paradise (the Town) must protect the personal information of individuals. This includes when the Town can collect information, how it can be used, and when the information can be disclosed. A Privacy Management Policy is an effective tool for communicating how provisions of the Act specifically apply to the Town.

OBJECTIVE/PURPOSE

The purpose of this policy is to outline the Town's approach to privacy management. It establishes a framework and controls for how the personal and private information of individuals is collected, managed and protected in accordance with ATIPPA. This policy also outlines key aspects of the legislation as they pertain to the Town, including the right of individuals to determine for themselves when, how, and to what extent information about them is communicated to others.

DEFINITIONS

"Employee" means any person employed by the Town of Paradise as a permanent, part-time, or contract worker.

"Information Sharing Agreement" means a written agreement between parties that outlines the terms and conditions under which Personal Information is shared.

"Personal Information Bank" means Personal Information that is organized or retrievable by the name of an individual or by an identifying number, symbol, or other particular assigned to an individual.

"Personal Information Inventory" means an inventory of all of the Town's Personal Information Banks.

"Privacy Breach" means unauthorized access, collection, use, disclosure, or disposal of personal information.

"Record" has the same meaning as defined by Section 2(y) of the ATIPPA, that is, "a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium."

POLICY STATEMENT

As a public body, the Town of Paradise works to ensure compliance with all sections of the Access to Information and Protection of Privacy Act, 2015 (ATIPPA). The standards and guidelines identified in this policy are to be upheld by Council and all employees to ensure continued adherence to the privacy provisions of the Act.

GUIDELINES

1. Personal Information

As defined by Section 2(u) of ATIPPA, the Town considers “personal information” to be any recorded information about an identifiable individual, including:

- 1.1. an individual's name, address or telephone number; an individual's race, national or ethnic origin, colour, or religious or political beliefs or associations;
- 1.2. an individual's age, sex, sexual orientation, marital status or family status;
- 1.3. any identifying number, symbol or other particular assigned to the individual;
- 1.4. an individual's inheritable characteristics, fingerprints, blood type or information about the individual's health care status or history, including a physical or mental disability;
- 1.5. information about an individual's educational, financial, criminal or employment status or history and;
- 1.6. the opinions of a person about an individual, and; the individual's personal views or opinions, except where they are about someone else.

2. Collection of Personal Information

- 2.1. The Town collects personal information that directly relates to or is necessary for its operating programs or activities. The level of personal information that is appropriate to be collected is assessed on a case-by-case basis in an effort to minimise the amount of personal information collected and managed.
- 2.2. Personal information may be collected for a variety of reasons. Some examples of why personal information is collected include: communicating with residents about programs or services of interest, permitting and licencing, administering elections, ensuring public security and safety, collecting taxes and fees, public engagement with community and stakeholders, and informing individuals of changes or disruptions to services that may affect them.
- 2.3. Where appropriate and feasible the Town collects personal information directly from the individuals that are the subject of the information.
- 2.4. Personal information may be obtained directly through a number of processes including correspondence by telephone or email, reception processes, application or registration forms, surveys and engagement activities, resumes and interviews, and through the Town’s website, social media channels, apps etc.

- 2.5. Where possible and appropriate, individuals are informed of how their personal information is being collected and how it will be used. Individuals are typically informed that all information collected is managed under ATIPPA, with Town contact information also being provided during collection. (e.g., inclusion of disclaimer on forms, surveys and registration systems).
- 2.6. As per ATIPPA, information may also be collected from sources other than the individual if: authorized by the individual or another Act; it is collected for the purpose of determining suitability for an award/scholarship, collecting a debt or fine, or for law enforcement purposes or; if collection of the information is in the interest of the individual and time or circumstances do not permit collection.

3. Protection and Retention of Information

- 3.1. All records containing personal information are considered private and are stored in a manner that reasonably protects it from theft, misuse, loss, or other forms of unauthorized access, modification or disclosure.
- 3.2. Electronic information is stored on secure information systems that require individual logins or authentication. Systems are routinely assessed for compliance with ATIPPA and best practices. Hard copy files and sensitive information are also securely stored and handled.
- 3.3. Records are retained, transferred and disposed of in accordance with their corresponding retention periods as outlined in the Town's Records Retention Policy. Generally, when personal information is no longer needed for the purpose of which it was obtained, reasonable steps are taken to permanently destroy or de-identify the records.
- 3.4. Where appropriate the Town includes clauses in its contracts that require contractors to comply with relevant privacy obligations.
- 3.5. The Town is not responsible for ensuring the privacy or protection of information collected or stored by third-party web sites or services used or shared by the Town. This includes external links accessed from the Town of Paradise website, apps, or other online social pages.

4. Accuracy of Information

- 4.1. Reasonable actions are taken to ensure that personal information collected and managed is accurate and complete, particularly if an individual's personal information is being used to make a decision that directly affects them.
- 4.2. Individuals have the right to request corrections of their personal information. If an individual identifies their information is not up to date or is inaccurate, they should advise the Town in a timely manner so that records may be updated. Individuals are asked to follow the Correction of Personal Information Procedure as outlined on the Town's [website](#). Changes to personal information may be made with or without the submission of a formal [request](#) depending on the circumstances.
- 4.3. Requests to add, change or correct personal Information are processed by authorized Town employees as appropriate. If an employee is unable or unauthorized to make a requested change, the request is to be directed to the Town's Access to Information and Protection of Privacy Coordinator (ATIPP Coordinator).

- 4.4. Privacy and personal information related inquiries received by Council are to be directed to the Town's ATIPP Coordinator.

5. Use and Disclosure of Information

- 5.1. Only authorized Town employees and third parties may access personal and private information retained by the Town. Information is only be accessed and used for its intended purpose unless otherwise permitted under the ATIPPA (i.e., where it is satisfied that the personal information is reasonably necessary for the exercise of other functions). Personal information is typically only used by employees to deliver services, compile research, provide policy advise, and continually improve Town functions.
- 5.2. Municipalities are required to make certain information publicly available, including permits, the assessment roll, contracts, permits etc. Minutes may contain some information about individuals, including names of those attending a public event / meeting, names of individuals who have received an honour or award, names and opinions of individuals who have made a presentation at a public meeting, details of a contract with the town, or names and other personal information if they are relevant to the discussion at hand. Any documents tabled at a public meeting become public record.
- 5.3. Any records or materials voluntarily published by the Town are reviewed carefully to ensure no unauthorized personal information is included.
- 5.4. Individuals may request to access any personal information that the Town has about them subject to certain exceptions outlined in the ATIPPA. Individuals wishing to access a record of their personal information are asked to follow the Making a Request Procedure as outlined on the Town's [website](#). Access to personal information may be made with or without the submission of a formal [request](#) depending on the conditions. Under ATIPPA, there is no charge for requesting information, however an administrative fee may apply in some cases.
- 5.5. Personal information is not disclosed to other individuals or public bodies unless authorized under ATIPPA. Circumstances where information may be disclosed include if an individual consents to use or disclosure, where the purpose of the collection is disclosure, or as required or authorized to release the information by law.
- 5.6. Personal Information is typically not to be disclosed to a third party unless an Information Sharing Agreement between the third party and Town has been signed and approved by the ATIPP Coordinator.
- 5.7. Employees, departments, and members of council shall first consult with and receive approval from the Town's ATIPP Coordinator prior to releasing any personal information to a third party.

6. Privacy Breeches and Complaints

- 6.1. Individuals who believe there has been a breech of personal information are asked to immediately notify the Town's ATIPP Coordinator. An individual who believes there has been an improper collection, use or disclosure of their personal information by a public body also has the right to file a [complaint](#) with the Office of the Privacy Commissioner.

- 6.2. Any employee or member of council who receives a privacy complaint or notice, or who becomes aware of a privacy breach or potential privacy breach, shall immediately report it to the Town's ATIPP Coordinator.
- 6.3. Where a privacy breach occurs, the ATIPP Coordinator shall coordinate the Town response in accordance with the Privacy Breach protocol and guidelines established by the ATIPP Office and Office of the Privacy Commissioner.

7. Assessments and Personal Information Banks

- 7.1. Directors, managers or project leads should complete and send a [Preliminary Privacy Assessment](#) to the ATIPP Coordinator or designate following any program or service changes involving personal information. This assessment should also be completed and approved prior to the introduction of any new program or service.
- 7.2. The Department of Corporate Services maintains a Personal Information Inventory including a comprehensive account of all personal information banks managed by the Town. Departments are responsible for communicating any personal information banks or changes to their collection and management practices to Corporate Services for tracking purposes.

8. Privacy Training and Employee Requirements

- 8.1. All Members of Council and Town employees who have access to personal information shall review and be familiar with ATIPPA requirements.
- 8.2. Department heads are responsible for ensuring their departments comply with this policy and ATIPPA.
- 8.3. ATIPPA training is provided periodically to Council and employees. Training is arranged by the Department of Corporate Services under the advisement of the ATIPP Coordinator and is to be completed by Council and employees as directed.
- 8.4. Any questions concerning privacy or information management shall be directed to a supervisor or the ATIPP Coordinator for the Town as appropriate.

RESOURCES AND CONTACT INFORMATION

Resources

- [Access to Information and Protection of Privacy Act, 2015](#)
- [ATIPP Office: Protection of Privacy Resources](#)
- [Video Surveillance Policy \(CS-019\)](#)
- [Records Retention Policy \(CS-013\)](#)

Contact Information


ATIPP Coordinator, Town of Paradise
28 McNamara Drive
Paradise, NL A1L 0A6
Telephone: (709) 782-1400
Email: info@paradise.ca

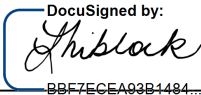
Office of the Information and Privacy Commissioner
2 Canada Drive
St. John's, NL A1B 3V8
Telephone: (709) 729-6309
Email: commissioner@oipc.nl.ca

REVIEW OF POLICY

This policy may be subject to change at any time following new knowledge or new experience.

APPROVAL

ATIPP Coordinator: _____  _____ Date: July 6, 2022 | 10:20:00 AM NDT

Chief Administrative Officer: _____  _____ Date: July 6, 2022 | 12:48:37 PM NDT