

The Corporation of the District of Peachland Policy

Information Handling and Privacy Policy

Effective Date: April 12 th , 2016	Authorized By: Council – Regular Meeting	Replaces: New Policy
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PURPOSE

1. To establish guidelines for the collection, use, disclosure, storage and retention of personal information by the District and to ensure personal information in the custody or under the control of the District is protected.
2. To ensure the District, as a public body, is in compliance with its privacy obligations under the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

PERSONAL INFORMATION

3. “Personal information” comprises all recorded information about an identifiable individual such as, home address, personal email, personal phone number, social insurance number, or family status, with the exception of **contact information**.

“Contact Information” information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual

COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

4. The District will only collect personal information in accordance with section 26 of FIPPA.
5. The District will only collect personal information directly from the individual the information is about unless it is through a method authorized under section 27 of FIPPA.
6. The District will only use personal information in its custody or under its control:
 - (a) for a purpose for which that information was obtained or compiled, or for a use consistent with that purpose;
 - (b) with consent of the individual whom the information is about; or
 - (c) for a purpose for which that information may be disclosed under sections 33 to 36 of FIPPA.
7. The District will only disclose personal information in its custody or under its control as permitted under sections 33 to 36 of FIPPA.
8. The District will maintain a record of the disclosure of any personal information under section 33 to 36 of PIPPA for one year after the date of such disclosure in order to facilitate correction of personal information where requested

INFORMATION SECURITY

9. The District will employ security measures to protect personal information, such as requiring electronic passwords and user identification on software programs where personal information is stored.
10. All personal information in paper format will be stored securely in a controlled access area and/or locked filing cabinet
11. All personal information collected by the District will be stored within Canada or in accordance with section 30.1 of FIPPA

RETENTION AND DISPOSAL

12. Personal information collected by the District will be classified, retained and disposed in accordance with the Local Government Management Association's Records Classification and Retention Schedule in the Records Management Manual (the "LGMA Manual"), as amended from time to time.
13. Paper documents are managed through an automated records management software program called "FileTrail".
14. A Records Clerk for each of the District's departments is responsible for retaining and disposing records in accordance with the LGMA Manual.
15. Records are destroyed annually, by using appropriate methods to preserve the confidentiality of the content.
16. The District will maintain a Destruction Register, indicating the type and the date records were destroyed.

CORRECTION OF PERSONAL INFORMATION

17. Anyone can make a request to the District to correct his or her personal information in the District's custody or under its control by contacting the Finance Department as the default department or other District departments as appropriate.
18. The District will, within 30 days of receipt of a request under section 16, either correct the information or annotate the information with the requested correction.
19. Upon correcting or annotating the information, the District will notify any other public body or third party to whom that information has been disclosed during the one year period before the correction was requested.
20. On being notified under section 17 of a correction or annotation of personal information by another public body, the District will make the correction or annotation on any record of that information in its custody or under its control.

PRIVACY BREACH PROCEDURE

21. A privacy breach occurs when personal information is accessed, collected, used, disclosed or disposed of without proper authorization.

22. All District employees, contractors and volunteers have a duty under s. 30.5 of FIPPA to immediately report suspected privacy breaches to their supervisor or manager, who will then notify the Director of Corporate Services.
23. The Director of Corporate Services will then take the following steps:
 - (a) immediately contain the breach by suspending the process or activity that caused the breach;
 - (b) initiate an investigation and evaluate risks associated with breach;
 - (c) determine if the breach should be reported to the Privacy Commissioner;
 - (d) determine if notification of affected individuals is required and contact them, if necessary;
 - (e) determine if further investigation into cause and extent of the breach is necessary;
 - (f) ensure the details of the breach and corrective actions are documented;
 - (g) if the investigation was initiated by way of a complaint, respond to the complainant in writing to provide the result of the investigation;
 - (h) review investigative finding and develop prevention strategies; and
 - (i) implement prevention strategies and monitor them through privacy/security audits at least annually.

PRIVACY COMPLAINTS

24. Any complaints regarding the District's compliance with FIPPA, or any enquiry concerning the District's privacy policies or practices should be in writing and sent to the District's Director of Corporate Services.
25. Upon receiving a complaint, the District will send a written acknowledgement to the complainant within 14 business days.
26. The District will follow Privacy Breach Procedure when responding to complaints of a privacy breach.
27. Within 30 business days of receiving a complaint, the District will respond to the complainant in writing to provide the result of the investigation of the complaint, subject to operational requirements.

PRIVACY IMPACT ASSESSMENT

28. Before developing a program, system, or any other initiative that involves personal information, the department will complete a privacy impact assessment worksheet so that the District can complete a privacy impact assessment, which will include a description of measures to mitigate any identified privacy risks.
29. In the privacy impact assessment, the District will identify the authority for the collection, use and disclosure of personal information.

COMPLIANCE

30. The Director of Corporate Services will be responsible for ensuring the procedures set out in this policy are being followed in compliance with FIPPA.
31. District employees will be required to review this policy and the applicable privacy impact assessment in relation to the operation of any new program, system, or any other initiative that

involves personal information. Employees will complete a privacy impact assessment worksheet and consult with the Director of Corporate Services prior to any program that involves personal information.

32. District employees will receive information management and privacy training or updates at least annually.

AUDIT AND EVALUATION

33. The Director of Corporate Services will audit the District's information handling and privacy management program at least annually.
34. The Director of Corporate Services may prepare a report documenting his or her findings in detail and advising of any concerns.

INFORMATION SHARING

35. In addition to the provisions in this policy, the District will comply with the information handling provisions set out in Appendix A.

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APPENDIX A

ICBC - INFORMATION SHARING

COLLECTION OF PERSONAL INFORMATION

1. The District will collect the following personal information from ICBC:
 - (a) vehicle license;
 - (b) vehicle description; and
 - (c) registered owner.
2. The District will collect the personal information from ICBC for the purpose of:
 - (a) collecting a debt or fine owing to the District; and
 - (b) assisting in a specific investigation of a municipal bylaw violation, including parking violations, undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.
3. The authority for the collection is found under the following sections of FIPPA: 33.1(1)(c), 33.1(1)(i), and 33.2(i).

USE OF PERSONAL INFORMATION

4. The District will only use the personal information under section 1 for the purpose for which it was collected for and for no other purpose.
5. The personal information will be only accessible to and used by authorized District employees and third parties.

DISCLOSURE OF PERSONAL INFORMATION

6. If personal information is disclosed to a third party, the District will ensure the third party only uses the personal information for a purpose consistent with the same purpose for which it was collected by the District.
7. The District will provide a list of third parties to ICBC, upon request, to which the personal information under section 1 has been disclosed to.