PRIVACY MANAGEMENT PROGRAM POLICY

1. POLICY PURPOSE

1.1. This policy is intended to provide guidance to Village of Pemberton staff and elected officials in satisfying the Village's obligations with respect to the protection of privacy as set out in the *Freedom of Information and Protection of Privacy Act*.

1.2. This policy sets out procedures for:
   a. protecting personal or confidential information collected by or held by or on behalf of the Village;
   b. completing privacy impact assessments;
   c. completing information-sharing agreements;
   d. managing privacy breaches;
   e. responding to privacy complaints;
   f. providing privacy awareness and education activities; and
   g. ensuring that service providers are aware of their privacy obligations

2. POLICY

Scope
2.1. This policy applies to Village of Pemberton staff and elected officials.

Definitions
2.2. In this policy,

Contact information means information that enables an individual at a place of business to be contacted, for example, name, position, business telephone number, business address, and business email. *Contact information* is not considered personal information;

Control means the authority to manage, restrict, regulate, or administer the use or disclosure of a record throughout its lifecycle;

Custody means having physical possession of a record, including responsibility for access, managing, maintaining, preserving, disposing, and providing security;

FOIPPA means the Freedom of Information and Protection of Privacy Act, chapter 165, [RSBC 1996];

Personal information means recorded information about an identifiable individual, including their name, address, telephone number, race, ethnicity, age, fingerprints, social insurance number, driver's license number, and health, educational, financial, criminal, or employment history;

Privacy officer means the staff person responsible for ensuring that the Village meets its obligations for the protection of privacy under FOIPPA, appointed to this role by the chief administrative officer;

Record means any information that is recorded or stored by any means; and

Staff means Village of Pemberton employees, paid on call volunteers, volunteers, and contractors and consultants.

3. PROCEDURE

Protection of Privacy

FOIPPA enables public bodies to share personal information in specific circumstances. FOIPPA reflects the public benefit that arises from information sharing. When the information sharing is authorized under FOIPPA, protecting personal information is not at odds with sharing personal information.

Collection, Use, Disclosure and Retention of Personal Information
3.1.   We will collect personal information only when necessary to provide a program or service.
3.2.   We will use personal information only for the purpose for which it was collected.
3.3.   We may disclose personal information to staff or service providers on a "need-to-know" basis only.
3.4.   We will follow the requirements of FOIPPA in all our dealings with personal information.
3.5.   We will retain personal information for at least one year after it has been used in a decision that directly affects an individual. Personal information will be destroyed after this date according to the Village's Records Management Policy and destruction schedule.

Privacy Impact Assessments
A privacy impact assessment is a tool designed to ensure compliance with FOIPPA's privacy requirements by requiring that staff consider all potential privacy issues when developing a new program.

3.6.   We will create a privacy impact assessment (PIA) for every new initiative that will involve the collection of personal information.
3.7.   Staff will work with the privacy officer, through completion of the PIA, to ensure that only personal information that is necessary to the initiative is collected, that appropriate security

measures are in place for the protection of personal information, and that individuals have access to and the ability to correct any personal information collected by or held by the Village.

Information Sharing Agreements

An information sharing agreement is used when there is a regular and systematic exchange of personal information between public sector organizations or between a public sector organization and an external agency.

3.8.   We will follow the BC Information Sharing Code of Practice in determining whether a proposed activity is responsible and in compliance with FOIPPA.

3.9.   We will complete the information sharing agreement supplement to a privacy impact assessment if an initiative involves an information sharing agreement.

Notice of Collection

3.10.   All Village forms where personal information is collected will include a notification statement. The notice will state the purpose of collecting the information, the legal authority for collecting it, and the title and contact information of the privacy officer. Department managers will work with the privacy officer in developing appropriate notices of collection for their initiatives.

Security

3.11.   We will protect personal information in our custody or control through reasonable security measures that may include:

- Locking cabinets where personal information is stored;
- Limiting access to electronic records;
- Password protecting confidential documents;
- Encrypting sensitive documents before sharing them with others; and
- Storing sensitive information in secured folders.

Privacy Breach Response

3.12.   The privacy officer will notify affected individuals and the Office of the Information and Privacy Commissioner for British Columbia, without unreasonable delay, if the Village experiences a privacy breach that could reasonably be expected to result in significant harm to affected individuals.

3.13.   The privacy officer will take immediate, common-sense steps to limit a breach.

3.14.   The privacy officer will assess the potential for harm from a breach and take steps to mitigate the harm.

3.15.   The privacy officer will investigate the causes of a breach with the objective of developing and implementing measures designed to prevent future breaches.

Privacy-Related Complaints

3.16.   Staff and elected officials will refer all privacy-related complaints to the privacy officer.

3.17.   The privacy officer will follow the following procedures in investigating a complaint:

a. acknowledge the complaint by email or telephone call within two business days of receipt of the complaint.

b. invite the complainant to discuss the complaint.

c. review the complaint and determine the resolution.

d. inform the complainant of their decision and reasons for the decision, including any legal, legislative, or policy restrictions that may have affected the decision, in writing and advise the complainant that they may refer the complaint to the Office of the Information and Privacy Commissioner if not satisfied with the decision.

Education & Awareness

3.18. The privacy officer will ensure that information regarding the privacy program is available to the public on the Village website and at the Village office.

3.19. Department managers will ensure that service providers, contractors, and consultants are aware of their obligations under this policy.

3.20. The privacy officer will provide training to employees and elected officials regarding their roles and responsibilities under this policy.

3.21. Staff and Council members will familiarize themselves with this policy.

Policy Responsibilities

3.22. Council is responsible for approving this policy and any substantive amendments to it.

3.23. Council is responsible for reviewing this policy annually.

3.24. The privacy officer is responsible for reviewing this policy annually and for making any administrative amendments to the policy.