

Corporate Policy

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Section:	Administration	01
Sub-Section:	Freedom of Information and Protection of Privacy	0580
Title:	Privacy	2016-01

Related Policies

Number	Title
01-0580-2016-02	Privacy Breach
A04-1490-2016-01	Working Away from the Office

Approvals

Approval Date: June 7, 2016	Resolution #: <u>CW16/083</u>
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Amended:	Resolution #:
Amended:	Resolution #:

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Privacy

Policy

The City of Port Moody (City) is committed to ensuring the protection and security of all personal information that it collects, uses, maintains, and discloses in the course of carrying out its responsibilities.

The City is subject to the *Freedom of Information and Protection of Privacy Act (FIPPA)*. The purpose of this policy is to ensure that all City staff are aware of the rights, duties, and obligations that apply under *FIPPA* with respect to the protection of personal privacy and requests for access to records in the custody or control of the City.

The FIPPA has two purposes:

1. To make public bodies more open and accountable by providing the public with a statutory right of access to records, subject to any exceptions set out in the *FIPPA*; and
2. To protect each individual's personal privacy by prohibiting the unauthorized collection, use, or disclosure of personal information by public bodies.

To fulfill these purposes, the *FIPPA* gives individuals the right to request access to records in the custody or control of public bodies like the City. The *FIPPA* also imposes obligations on public bodies and their staff with respect to how they collect, use, disclose, store, retain, and secure personal information.

Definitions

Records are broadly defined under the *FIPPA* and include any paper or electronic media which is used to store or record information. At the City, this includes all paper and electronic records, books, documents, photographs, audio or visual recordings, computer files, email, and correspondence.

Personal information is recorded information about an identifiable individual, and includes such things as an individual's name, address, birth date, personal contact information, financial information, as well as opinions and statements made about the individual.

Staff means all employees, independent contractors, service providers, and volunteers employed or engaged by the City.

Procedures

Privacy

The City is committed to protecting the privacy of individuals whose personal information it collects, uses, shares, and retains, and expects all Staff to follow responsible information management practices to ensure that the City fully complies with its legal obligations.

Any personal information provided to the City must be collected, used, and disclosed in accordance with the *FIPPA*. Any questions about how the *FIPPA* applies to City records should be directed to the City's Privacy Officer at foi@portmoody.ca or 604-469-4603.

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It is important for all City employees to respect the privacy and confidentiality of personal information entrusted to them in the course of their duties.

The City will collect, use, or disclose personal information only with an individual's knowledge and consent, except where otherwise required or permitted by law and in accordance with the *FIPPA*.

Personal information will be collected and shared as authorized by the *FIPPA*, and the use of personal information shall be consistent with the purposes for which the information was obtained or compiled, unless otherwise authorized or permitted by law.

Identifying Purposes

The City endeavours to communicate the purposes for which personal information is collected at or before the time the information is collected, unless otherwise permitted or required by law. Generally, the City collects personal information for the following reasons:

- To provide programs and services to residents;
- To collect and administer payments owing to the City;
- To ensure compliance with applicable City bylaws and other laws; and
- To communicate information to residents about events, services, or public health or safety information.

Collection, Use, and Disclosure of Personal information

The City limits collection of personal information to what is necessary for the purposes for which it is collected. The City collects personal information by fair and lawful methods.

Personal information will only be used or disclosed for the purpose for which it was collected, except with the individual's consent or as required or permitted by the *FIPPA* or other laws.

Personal information will be retained only for as long as necessary for fulfillment of the purposes for which it was collected, or as required or permitted by law.

The City may release relevant personal information to other branches of government or its contracted service providers, but will do so only as authorized by the *FIPPA* or other laws.

For information regarding privacy on the City website, please see the City's Online Privacy Statement.

Securing Personal Information

The City protects personal information by ensuring security safeguards appropriate to the sensitivity of the information are in place. Such security safeguards may include passwords, encryption, secured storage, etc.

Every member of Staff has a duty to protect the privacy and security of personal information collected and used by them as part of his/her ongoing employment responsibilities. The management and safekeeping of such information is the responsibility of all Staff.

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Retention

Any personal information that is no longer required for either administrative, financial, legal, or historical purposes shall be securely destroyed in a confidential manner in accordance with City-approved record retention protocols.

Personal information will be retained for specified periods where required by law. The *FIPPA* requires that any personal information that is used by the City for the making of a decision that directly affects an individual is to be retained by the City for at least one year after being used.

Accuracy and Correction

Staff are expected to make every reasonable effort to ensure the accuracy of personal information.

If a person believes that there is an error or omission in his or her personal information collected by the City, he or she may request the correction of the information in writing to the department responsible for the information. The department head or designate is responsible for, as appropriate, correcting the information or annotating the information, in consultation with the Privacy Officer and in accordance with the requirements of the *FIPPA*.

If a correction is made, the City will notify any other public body or third party to whom it has provided the incorrect information during the one-year period before the correction was requested.

Access to Information

Any individual can make a request for access to records in the City's custody or control. All such requests must be in writing and must be directed to the City's Privacy Officer at foi@portmoody.ca.

Staff are not authorized to release records in response to an access request without the written authorization or approval of the City's Privacy Officer. Every written request for access to information will be directed to the City's Privacy Officer.

As access requests are governed by strict time limits set out in the *FIPPA*, access requests must be date stamped and referred to the Privacy Officer promptly.

Compliance and Contact Information

Requests for access to records, issues, or complaints about the City's compliance with this Policy and questions or comments about this Policy may be addressed to the City's Privacy Officer at foi@portmoody.ca.

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An individual who is not satisfied with the City's practices or response regarding personal information may also write to the Information and Privacy Commissioner of British Columbia:

Office of the Information and Privacy Commissioner for British Columbia

PO Box 9038, Stn. Prov. Govt. Victoria, BC V8W 9A4

Phone: (250) 387-5629

Fax: (250) 387-1696

Email: info@oipc.bc.ca

Monitoring/Authority

The policy is to be administered and monitored by the Legislative Services Division.