



DEPARTMENT OF ECONOMIC AND RURAL DEVELOPMENT

PRIVACY IMPACT ASSESSMENT POLICY

Approval Date: April 1, 2009

Effective Date: April 1, 2009

Approved By: _____
Ian Thompson, Deputy Minister

I POLICY STATEMENT

As a public body, the Department of Economic and Rural Development is bound by the Freedom of Information and Protection of Privacy Act ("FOIPOP Act") and its regulations as well as any other relevant legislation. The FOIPOP Act requires that when managing personal information, the Department of Economic and Rural Development has a responsibility:

(a) to be accountable to the public for the personal information it collects and manages;

(b) to protect the privacy of each individual whose personal information it holds;

(c) to use personal information effectively and responsibly to support the fair and effective administration of justice and to ensure excellence in service to the people of Nova Scotia; and

(d) to protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure and disposal.

The Privacy Impact Assessment process requires a thorough analysis of potential impacts on privacy and a consideration of measure to mitigate or eliminate negative impacts. The Privacy Impact Assessment is a due diligence exercise, in which the Department identifies and addresses potential privacy risks that may occur in the course of its operations.

II POLICY OBJECTIVES

(a) To identify and mitigate any impacts a new program or service or a significant change to any program or service may have on the privacy, confidentiality and/or security of personal information in the custody or under the control of the Department of Economic and Rural Development.

(b) To mandate the completion and acceptance of Privacy Impact Assessments for any new programs or services or for a significant change to a program or service that involves the collection, use or disclosure of personal information.

(c) To encourage the completion and acceptance of Privacy Impact Assessments for existing programs or services involving the collection, use or disclosure of personal information.

III POLICY APPLICABILITY

This Policy applies to the Department of Economic and Rural Development.

IV POLICY DIRECTIVES AND STANDARDS

Mandatory Privacy Impact Assessment

The Department of Economic and Rural Development shall complete a Privacy Impact Assessment when the Department undertakes

(a) a new program or service, or

(b) a significant change to a program or service that involves the collection, use or disclosure of personal information. Specifically:

- i. the creation of a new information system which will contain personal information,
- ii. a significant change to an existing information system which contains personal information; or
- iii. a new collection, use and/or disclosure of personal information within an existing information system.

(c) a Privacy Impact Assessment shall be a required component of every project plan related to a new program or service or a significant change to a program or service that involves the collection, use or disclosure of personal information.

(d) where possible the Privacy Impact Assessment shall be completed and accepted at the initiation of the program or service; at the time of the change to the program or service; or when a new collection, use and/or disclosure of personal information within an existing information system is intended.

(e) (i) the Project Leader responsible for the new program or service or for the change to the program or service shall be accountable for completing the first draft of the Privacy Impact Assessment

(ii) the Project Lead shall, in consultation with the Information Access and Privacy Officer, prepare the Privacy Impact Assessment and ensure that privacy issues are addressed.

(iii) the Privacy Impact Assessment shall be presented to the Deputy Minister.

(f) The Deputy Minister of the Department of Economic and Rural Development shall review the completed Privacy Impact Assessments.

(g) Once satisfied that the Department has made or will be making all reasonable efforts to protect the privacy, confidentiality and security of personal information in the custody or control of the Department, the Deputy Minister shall sign and accept the Privacy Impact Assessment.

The Template for the Privacy Impact Assessment is attached as Appendix B. A guide to the template is attached as Appendix A.

Discretionary Privacy Impact Assessments

(a) The Department of Economic and Rural Development should complete a Privacy Impact Assessment for an existing program, service or system where the Department has concern that there may be a privacy risk, considering the nature and scope of the existing program, service or system.

(b) If the Department undertakes a discretionary Privacy Impact Assessment, all provisions related to mandatory Privacy Impact Assessments shall apply.

V POLICY DEFINITIONS

In this policy:

(a) "change" means a change to a program or service that affects the collection, use, disclosure or retention of personal information and includes the implementation of an information system;

(b) “personal information” is as defined in the FOIPOP Act. Specifically “personal information” means recorded information about an identifiable individual, including:

- i. The individual’s name, address or telephone number;
- ii. The individual’s race, national or ethnic origin, colour, or religious or political beliefs or associations;
- iii. The individual’s age, sex, sexual orientation, marital status or family status;
- iv. An identifying number, symbol or other particular assigned to the individual;
- v. The individual’s fingerprints, blood type or inheritable characteristics;
- vi. Information about the individual’s health-care history, including a physical or mental disability;
- vii. Information about the individual’s educational, financial, criminal or employment history;
- viii. Anyone else’s opinions about the individual; and
- ix. The individual’s personal views or opinions, except if they are about someone else.

(c) “information system” includes both electronic and paper-based record systems.

VI ACCOUNTABILITY

The Manager of Operations and the Information Access and Privacy Officer is responsible for the ongoing monitoring and enforcement of this policy.

Accountability for shared systems or programs

When a change, outlined in Section V, impacts on personal information under the jurisdiction of more than one Department, the Department responsible for the project shall be accountable for completing the Privacy Impact Assessment in consultation with the other Department(s).

VII REFERENCES

Appendix A: Guide to Privacy Impact Assessment Template
Appendix B: Privacy Impact Assessment Template