

# Department of Energy Privacy Policy

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**Document Owner:** IAP Officer

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**Approved By: Bruce Cameron** \_\_\_\_\_

**Signature**

## **I POLICY STATEMENT**

It is the policy of the Nova Scotia Department of Energy that it will ensure adherence to the privacy protection provisions of the Freedom of Information and Protection of Privacy Act, the Personal Information International Disclosure Protection Act, the Government Privacy Policy and other applicable legislation. The Nova Scotia Department of Energy will uphold the principles of transparency, custodianship and shared responsibility established in the Government Privacy Policy, as it relates to the collection, use and disclosure of personal information.

## **II DEFINITIONS**

For the purposes of this policy, the following definitions shall apply.

**Employee** an individual in the employ of, seconded to, or under personal service contract to the Government entity and their volunteers, students, and interns who have access to records.

**FOIPOP** *NS Freedom of Information and Protection of Privacy Act*

**Personal information** as defined in clause 3(1)(I) of the FOIPOP Act,

“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”

**Privacy breach** the event of unauthorized collection, access, use, disclosure, or alteration of personal information

**PIA** a Privacy Impact Assessment is a due diligence exercise which identifies and addresses potential privacy risks that may occur in the course of the operations of a public body

**Record** as defined in clause 3(1)(k) of the FOIPOP Act, includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records

### III POLICY OBJECTIVES

The policy is designed to ensure that government meets its legislated obligations in the management of personal information throughout its life cycle. This includes ensuring the protection of personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

### IV APPLICATION

This policy applies to:

- All employees
- All personal information in the custody and control of the Nova Scotia Department of Energy

### V POLICY DIRECTIVES

- *The Department of Energy shall only collect, access, store, use, disclose and dispose of personal information where authorized by law.*
- *The Minister of the Department of Energy shall identify those individuals with designated or delegated responsibilities for making reasonable security arrangements for personal information in keeping with the provisions of applicable legislation.*
- *The Department of Energy shall have a privacy breach protocol, per the template maintained by the Corporate Access and Privacy Office (Justice).*
- *The Department of Energy shall complete a privacy impact assessment for any new program or service or for a significant change to a program or service.*
- *All employees shall be advised of the policy coming into force.*

- *This policy shall be made readily available and will be posted on the Department of Energy Website: [www.gov.ns.ca/energy](http://www.gov.ns.ca/energy).*
- *Requests for correction of personal information or to express concern regarding compliance shall be directed to the Department of Energy IAP Officer at 902-424-6155.*

## **VI POLICY GUIDELINES**

- The Department of Energy shall approve new records management policies and procedures which will outline the proper handling, storage, access, retention and disposition of records containing personal information.
- Access to records and information systems containing personal information shall be restricted to those who require the information to deliver a program or service.
- The Energy Central Registry and filing cabinets will be locked; access will be limited to individuals who need access only for the purpose of carrying out a program or service; databases containing personal information will be password protected; and passwords will only be issued to staff that require access to deliver the program or service.
- Additionally, files containing personal information will not be removed from offices or left unattended, and disposal of both transitory or master records containing personal information will only be carried out using secure methods, such as shredding under a Government approved retention schedule.
- Training and awareness will be provided to all staff on the privacy protection of personal information. The Department of Energy shall ensure that all new employees receive a copy of this policy in an orientation package, or that the IAP Officer will provide training on proper procedures regarding the privacy of personal information.
- The Department of Energy shall develop a process for expressing concerns about compliance with its own privacy policy. This process should include how to contact the responsible individual, what detail is needed to provide an appropriate response, the time frame in which the individual can expect to receive a response.

## **VII ACCOUNTABILITY & SECURITY**

The deputy head of the Department of Energy shall be accountable for compliance with this policy.

Each employee is responsible for complying with this policy and the privacy policies of the Department of Energy and the Government of Nova Scotia.

## **VIII MONITORING**

The Deputy Minister of Energy will be responsible for monitoring the compliance with the policy.

## **IX REFERENCES**

- Freedom of Information & Protection of Privacy Act and Regulations
- Personal Information International Disclosure Protection Act
- Government Records Act
- Management Manual 300: Common Services, Chapter 4, Policy 4.7, Website Privacy Policy
- Management Manual 100: Management Guide, Chapter 1, Policy 1.2 Management Manuals Policy
- Privacy Impact Assessment *of the Department of Energy*
- Privacy Breach Protocol *for the Department of Energy*
- Canadian Standards Association Model Code 10 Principles

## **X ENQUIRIES**

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