

PRIVACY POLICY



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Approved By: Margaret F. MacDonald, Deputy Minister

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I. POLICY STATEMENT

Labour and Workforce Development (LWD) will ensure adherence to the privacy protection provisions of the Freedom of Information and Protection of Privacy Act (FOIPOP Act), the Personal Information International Disclosure Protection Act (PIIDPA), the Government Privacy Policy and other applicable legislation. LWD 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

Administrator The officer responsible for receiving and responding to applications made to LWD under the FOIPOP Act;

employee an individual in the employ of, seconded to, or under personal service contract to the Government; and includes volunteers, students, and interns who have access to records;

personal information as defined in clause 3(1)(l) of the FOIPOP Act, recorded information about an identifiable individual, including:

- (l) 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;

Privacy Impact Assessment (PIA) 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 and members of agencies, boards, commissions and tribunals
- all personal information in the custody and control of LWD

V. POLICY DIRECTIVES

- Labour and Workforce Development shall only collect, access, store, use, disclose and dispose of personal information where authorized by law, regulation, or authorized policy.
- Directors and other persons to whom the Deputy Minister delegates the required authority will make reasonable security arrangement for personal information in keeping with the provisions of applicable laws. Security arrangements would include such processes as secured access and filing, limited access, password protection, and encryption.
- The Department shall utilize the privacy breach protocol, as per the template provided by the Professional Services Division.
- The Department shall complete a Privacy Impact Assessment (PIA) for any **new** program or service or for a **significant change** to a program or service, as per the template provided by the Professional Services Division.
- All employees and members of agencies, boards, commissions and tribunals shall be advised of the policy coming into force.
- This policy shall be made readily available and will be posted on the

department's Internet.

- Requests for correction of personal information or to express concern regarding compliance with this policy shall be directed to the Administrator.

VI. POLICY GUIDELINES

Personal information will be secured and access will be controlled by adhering to the following:

- Filing cabinets are kept locked and access is limited to individuals who need access for the purpose of carrying out a program or service.
- Databases containing personal information are password protected; and passwords will only be issued to individuals that require access to deliver the program or service.
- Files, including notes, containing personal information are not to be removed from offices unless authorized in writing by Divisional Director. This authorization may be made on a case-by-case basis, or may be indicative of the job functions of a position.
- When authorized, employees or members of agencies, boards, commissions and tribunals working from home offices, on-site, or from vehicles; must properly store personal information securely, while off-site or in transit.
- Files, including notes, containing personal information are not to be left unattended where reasonable and practical.
- Disposal of both transitory or master records containing personal information will only be carried out using secure methods, such as shredding.
- Access to the server, e-mail accounts, and electronic devices are password protected.
- Contracts with external service providers shall contain privacy provisions.
- Training and awareness will be provided to all employees and members of agencies, boards, commissions and tribunals on privacy issues and the protection of personal information.
- The Administrator will coordinate responses to privacy policy requests regarding Labour and Workforce Development.
- Employees or members of agencies, boards, commissions and tribunals who receive privacy concerns or complaints must forward them without delay to the Administrator in writing for response.
- Response to privacy complaints will be within 60 days of the acknowledgment of receipt of the written application by the office of the Administrator.

VII. ACCOUNTABILITY

The Deputy Minister and Executive Team are accountable for compliance with this policy.

Each departmental employee and member of an agency, board, commission or tribunal, is responsible for complying with this policy and the privacy policies of Labour and Workforce Development and the Government of Nova Scotia.

VIII. MONITORING

The policy will be formally evaluated and reviewed every three years by the Executive Management Team.

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

X. ENQUIRIES

FOIPOP Administrator

Manager, Information Access and Privacy 424-8472

Sept 2/09
Date

Margaret F. MacDonald - Deputy Acting
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Deputy Minister
Labour and Workforce Development