

**Privacy Policy
Public Service Commission**

Approval Date:
Effective Date:

Approved By:

I POLICY STATEMENT

It is the policy of the Public Service Commission 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 Public Service Commission 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 Public Service Commission and its 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)(1) 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 Public Service Commission

V POLICY DIRECTIVES

- The Public Service Commission shall only collect, access, store, use, disclose and dispose of personal information where authorized by law or

agreement with other public body that is authorized by law.

- The head of the Public Service Commission 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. This person shall be the Coordinator, Information Management for the Public Service Commission.
- The Public Service Commission shall have a privacy breach protocol, per the template maintained by the NS Information Access and Privacy Office (see Appendix A).
- The Public Service Commission shall complete a privacy impact assessment for any new program or service or for a significant change to a program or service, as per the template maintained by the NS Information Access and Privacy Office (see Appendix B).
- All employees shall be advised of the policy coming into force.
- This policy shall be made readily available and will be posted on the Public Service Commission Internet Website.
- Requests for correction of personal information or to express concern regarding compliance shall be directed to the Coordinator, Information Management for the Public Service Commission.

VI POLICY GUIDELINES

To support the policy in securing personal information, the Public Service Commission will establish specific procedures that will include the following:

- Personal Information will be used, disclosed, or shared only for the purpose for which it was obtained or compiled, or for a use compatible with that purpose [pursuant to Sections 24-30, *FOIPOP Act*; also see "Guide for the use of the Privacy Impact Assessment", p. 13-14]
 - Access to files containing Personal Information will be limited to access needed for operational requirements, pursuant to Section 26, *FOIPOP Act*
 - 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
 - Directories containing Personal Information will be password-protected
 - Passwords will be issued on a need-to-know basis, as determined by operational requirements, pursuant to Sections 26-30, *FOIPOP Act*
 - Filing cabinets containing Personal Information will be locked
 - Personal Information will not be stored on thumb drives
 - files containing personal information will not be removed from offices or left unattended
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- Blackberries will be password-protected and emails sent and received using Group Wise software will be encrypted by the Governmental

Blackberry server

- Approval is required from the head of a public body to take Blackberries and other electronic devices outside the country.

[Section 9(4) *Personal Information International Disclosure Protection Act (PIIDPA)*: the personal information held by public bodies and municipalities may be transported temporarily on, or accessed from the laptop computers, cell phones, and other electronic devices (e.g. Blackberries) outside Canada if the head of the organization determines it is necessary to meet the operational requirements of the organization, or is necessary for the work of its employees. See also Appendix B, "Guide for the use of the Privacy Impact Assessment," p. 17]

- When sending e-mails to more than one private individual at a time, when those individuals are known to the sender but unknown to each other, ensure that the individuals are blind copied. This will ensure that their e-mail addresses are not inappropriately disclosed to all the other third parties in the e-mail, and will therefore prevent a privacy breach from occurring.

- disposal of both transitory or master records containing Personal Information will be carried out only using secure methods, such as shredding (including shred boxes used for on-site confidential shredding)

- Training and awareness will be provided to all staff on the privacy protection of Personal Information.

- The Public Service Commission shall ensure that all new employees receive a copy of this policy in an orientation package and that the Coordinator, Information Management will provide training on proper procedures regarding the privacy of personal information.

- The Public Service Commission will provide a process for expressing concerns about compliance with its privacy policy. This process will include information on how to contact the Coordinator, Information Management, what detail the Coordinator needs in order for the Public Service Commission to provide an appropriate response, as well as the time frame in which the individual can expect to receive a response.

VII **ACCOUNTABILITY & SECURITY**

1. The deputy head of the Public Service Commission shall be accountable for compliance with this policy.

2. Each employee of the Public Service Commission is responsible for complying with this policy and the privacy policy of the government of Nova Scotia.

VIII **MONITORING**

The Coordinator, Information Management for the Public Service Commission will be responsible for monitoring compliance with this policy.

IX **REFERENCES**

- Freedom of Information and 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 for the Public Service Commission
- Privacy Breach Protocol for the Public Service Commission
- Canadian Standards Association Model Code 10 Principles

X **ENQUIRIES**

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