

Privacy Policy

Approval Date: May 2008

Effective Date: May 2008

Approved By: Judith Ferguson, Deputy Minister

I POLICY STATEMENT

The Department of Community Services is committed to protecting the privacy of its clients by adhering to the privacy protection provisions of the *Nova Scotia Freedom of Information and Protection of Privacy Act*, the *Personal Information International Disclosure Protection Act*, the Government of Nova Scotia Privacy Policy and other applicable legislation.

II PRINCIPLES

When collecting, using and disclosing personal information the Department of Community Services will uphold the principles of Transparency, Custodianship and Shared Responsibility as established in the *Government of Nova Scotia Privacy Policy*.

III DEFINITIONS

For the purpose of this policy, the following definitions shall apply. These definitions are not to be construed as overriding any statutory definitions provided in legislation.

employee individuals in the employ of, seconded to, or under a personal service contract to the Department of Community Services, including members of agencies, boards, commissions or tribunals and their volunteers, students, and interns who have access to records of the Department.

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

personal information 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 (S.3(1)(l) FOIPOP Act)

privacy breach the event of unauthorized access or inappropriate, use, disclosure or alteration of personal information

privacy Impact Assessment (PIA) 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 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 (s.3(1)(k) FOIPOP Act)

third party in relation to personal information, means any individual, group of individuals, or organization other than the person to whom the personal information is about, or the Department.

IV POLICY OBJECTIVES

This policy is designed to ensure that the Department of Community Services meets its legislated obligations:

- in the collection, protection, retention, use and disclosure of personal information obtained by the Department in the course of performing its operations only as authorized by law
- in protecting personal information by making reasonable security

arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

V APPLICATION

This policy applies to:

- all employees of the Department of Community Services as defined in this policy
- all personal information in the custody and control of the Department of Community Services.

V POLICY DIRECTIVES

1. All other privacy policies developed by any agency shall be consistent with this policy.
2. The Department of Community Services shall only collect, access, store, use and disclose personal information where authorized by law.
3. The Department of Community Services shall have a Privacy Breach Protocol.
4. This policy, and all protocols resulting from it, shall be made available to the public and will be posted on the Department of Community Services' World Wide Web site.
5. The Department of Community Services shall develop and implement a Privacy Impact Assessment for any new program or service, or for a significant change to a program or service, consistent with the requirements of the NS Government Privacy Policy.
6. The Department of Community Services may collect, use, and disclose aggregate information about individuals for statistical purposes, and this information shall be compiled, used and, where possible, stored, in a manner that individuals cannot be readily identified.
7. All employees shall be advised of the policy coming into force.
8. All employees of the Department of Community Services shall be responsible for making reasonable security arrangements for protection of personal information.
9. The Manager, Information Services & FOIPOP is the Department's designated individual responsible for administering the Department's access and privacy obligations.

V POLICY GUIDELINES

1. The Department of Community Services will identify and establish specific procedures to support this policy including, but not limited to:
 - Privacy Breach Protocol
 - Privacy Impact Assessment Guidelines
 - Protocols for disclosure of personal information to support disclosure from Regional Offices.
 - Protocols for the disclosure of personal information in addition to the FOIPOP Process (i.e. in response to orders for production).

2. The Department of Community Services will make every reasonable effort to ensure that appropriate security protocols are implemented to protect the confidentiality, integrity, availability of personal information through mechanisms including, but not limited to:
 - the use of access permission levels on electronic systems used to manage personal information
 - the use of passwords to protect personal information in electronic systems
 - the use of locked filing cabinets or areas with restricted secure access to store sensitive information
 - ensuring that personal information is removed from department offices only as established by program specific policy or standards
 - timely and secure destruction of both transitory or master records containing personal information.

3. The Department of Community Services through the Information Services and FOIPOP Unit, will provide to all employees training and awareness on access to, and protection of personal information, regularly or as requested, depending on specific needs.

VIII Accountability & Security

The Deputy Minister is accountable for protecting the personal information in the custody and control of the Department of Community Services. The Deputy Minister may delegate responsibility to his/her Executive and Senior Management Team.

Managers and supervisors, are responsible for promoting and enforcing this policy within their respective areas of responsibility by adequately preparing their employees to carry out their functions in respect to their privacy responsibilities.

All employees of the Department of Community Services and agencies are responsible for complying with this policy and all related protocols, and guidelines.

IX MONITORING

The Manager, Information Services and FOIPOP is responsible for monitoring the Department of Community Services' compliance with this policy.

X REFERENCES

NS Freedom of Information & Protection of Privacy Act and Regulations

NS Personal Information International Disclosure Protection Act

NS Government Records Act

NS Children and Family Services Act

NS Employment Support and Income Assistance Act

NS Government Privacy Policy

NS Government Website Privacy Policy www.gov.ns.ca/govt/privacy/privacypolicy.htm

Canadian Standards Association Model Code for the Protection of Personal Information

XI INQUIRIES

Inquiries regarding this policy should be directed to the Manager, Information Services and FOIPOP at 424-5558, or e-mail lashermv@gov.ns.ca