

# 11.5 Corporate Collection Policy

## Rationale

The *Finance Act* (See Appendix II-A) and the *Public Service Act* (See Appendix II-B) provide legislative authority for a corporate policy for the collection of outstanding accounts receivable for designated debts by the Department of Service Nova Scotia (SNS). The Corporate Collection Policy, supported by legislation, provides a consistent use of collection tools, procedures and standards to ensure accounts receivable are managed in an efficient, effective, timely and consistent manner resulting in improved recovery rates. Collection Services is a centralized professional collection unit that enables government debt collection and public sector debt collection using a focused approach to recovery action.

The *Finance Act* provides legislative authority for Collection Services which include: (Appendix II-A)

- Interpretation “public money” – Section 2(z)
- Interest – Section 15(1)(2)(3)
- Settlement of claim by or against Province 24(1)
- Notice and certificate for default 63(1)(2)
- Set-off by Province of debt– Section 65(1)(2)

## Policy Statement

The Corporate Collection Policy maximizes the recoveries of outstanding accounts receivable owed to the Province of Nova Scotia (the Province) and participating public sector bodies. The assignment of overdue accounts to SNS provides departments, governmental units and the greater public sector with an effective collection strategy. All government departments and governmental units are bound by this Policy and must assign outstanding debts for collection unless an approved exemption to the process is authorized by the Minister of Finance and Treasury Board. Collection Services offers public sector bodies an opportunity to utilize the services of Collection Services at SNS but are not bound to do so. With this policy and supporting legislation, departments, governmental units and public sector bodies have improved financial recovery of past-due debt by assigning the debt to Collection Services at SNS. The policy shall be administered under the following principles:

## **PERSONAL PRIVACY AND CONFIDENTIALITY**

The policy shall be applied in a manner which is considerate and protective of personal privacy per *Freedom of Information and Protection of Privacy Act* (FOIPOP) which provides specific powers for the gathering and sharing of personal information by the Province for the purposes of collecting a debt. (See Appendix II-C).

## **CONFIDENTIALITY**

Collection Services maintains citizens' and businesses' right of privacy in relation to all records it holds. This right of privacy includes a right to appropriate protection of all information contained in paper and electronic records held by Collection Services.

Citizens' privacy is respected by Collection Services. All information (whether in written, verbal or other forms) related to an identified individual must be treated as confidential.

Confidentiality extends all personal information accessed by Collection Services; no disclosure will occur except pursuant to law and Collection Services policy.

A Collection Officer or employee of Collection Services has access to information gathered by other government departments or by other related agencies or institutions. This information is subject to the ethical requirements of confidentiality which we expect staff to maintain and the legal requirements of FOIPOP. Persons making inappropriate access to or use of such information are liable to prosecution for breach of the Act.

Further, if Collection Services detects evidence of inappropriate access to or use of such information, no matter how apparently trivial in nature, such access or misuse shall be immediately investigated to determine whether there has been a breach of confidentiality and where substantiated, may lead to disciplinary action, up to and including termination of employment.

To emphasize the serious responsibility carried by Collection Services employees in safeguarding information relating to individuals and businesses, team members are required to participate in mandatory Provincial Privacy Training and to sign a Pledge of Confidentiality upon hiring and annually thereafter. (See Appendix II-D).

## **FEES**

A fee for service is payable by governmental units and public sector bodies. (See Appendix II-E).

## **TRANSPARENCY**

This policy shall be made readily available to the public.

## Definitions

### **DEBTS OWED**

Specific lines of business within departments and governmental units that may result in an invoice being issued payable to the Province or the governmental unit, or an activity resulting in an amount payable to the Province.

### **GOVERNMENTAL UNITS**

Those entities categorized as governmental units from time to time by the Minister of Finance and Treasury Board and set out annually in the consolidated financial statements of the Province.

### **PUBLIC SECTOR**

Those bodies financially supported by government and responsible to the public of Nova Scotia; which may include:

- Municipalities
- Universities
- Regional Centres for Education
- Health Authorities
- Public Utilities owned by Municipalities

Public sector bodies are defined in the *Public Sector Compensation Disclosure Act* supported by the Public Sector Body Designation Regulations. (See Appendix II-F).

### **SET OFF PARTNERSHIP WITH REVENUE CANADA**

A set off is a useful collection tool which involves a process established within government for monies owed by a debtor to government.

Canada Revenue Agency (CRA) Revenue Set Off Program (SIN Enabled) and Auxiliary Refund Set Off Program (ARSOP) (SIN Inhibited) were enacted by a Memorandum of Understanding.

Both Programs permit setting off the amount owing to the Province against a debtor's CRA Income tax and/or GST/HST refund/rebate.

## Policy Objectives

The objectives of this policy are:

- outline government's management and administration for the designation of debts owed and assignment of accounts that are past due at 90 days to SNS Collection Services for collection purposes
- outline the procedural requirements for collection activity
- increase accountability of all departments and governmental units and participating public sector bodies by transferring like activities in accounts receivable management and collection to a centralized expert workforce
- maximize receipt of unpaid debts for the Province and the greater public sector

## Application

This policy applies to all departments and governmental units. Clause 25 N (I) of the *Public Service Act* has provided authority for this policy. Debts due to the Province under programs that have been designated by the Minister of Finance and Treasury Board and that have accounts receivable that are in arrears must be submitted to SNS Collection Services for collection purposes. (SEE Appendix I I-B).

## Accountability

### **MINISTER, SERVICE NOVA SCOTIA AND INTERNAL SERVICES**

The Minister of SNS is accountable to maximize the recovery of outstanding debts by Collection Services and is responsible for the transferring and collecting of outstanding debts.

### **DEPUTY MINISTERS**

The Deputy Ministers of government departments and/or Heads of governmental units are responsible for ensuring conformity with this policy.

### **COLLECTION SERVICES**

The professional collection practices are outlined in the Collection Procedures and Practices (See Appendix II-G) and Collection Services – Code of Conduct (See Appendix II-H) and Approved Calling (See Schedule II-I) must be followed by staff. There is legislative authority that grants government specific privileges in the collection of debts regarding the gathering and sharing of information in pursuit of collection of a debt as outlined in the *FOIPOP Act*. (See Appendix II-C).

If a debtor requires in depth information concerning the debt, or wishes to dispute the debt, interaction with the initiating department, governmental unit or participating public sector body will take place by the Collection Officer managing the file.

Collection Services' professional collection team is accountable to be diligent and consistently demonstrate a businesslike and helpful attitude, always ensuring that no unreasonable demand is made to the debtor. Collection Services uses the *Positive Path to Debt Resolution* process ensuring all debtors are treated with respect and are required to pay within their financial ability to do so.

Collection Services utilizes all professional collection tools available for recovery of outstanding debt and gathers information regarding debts from departments, governmental units and participating public sector entities.

#### **REPORTING**

Reports will be provided monthly to the originating government department, governmental unit or public sector body detailing payments or account resolution.

#### **MONITORING**

The implementation, performance, and effectiveness of the policy will be monitored by Collection Services on behalf of the Minister of SNS and will report findings to the Minister of SNS on an annual basis.

### **Directives**

- All departments and governmental units must, on a monthly basis, review their outstanding debts and assign outstanding receivables that are past due to Collection Services. Debt Source Profile Sheets are to be submitted to Collections for each departmental debt type. (See Appendix II-K).
- Where a Debt is categorized as an exemption, the Minister of said department will provide written rationale to Collection Services seeking exemption status on the approved template. Collection Services will forward requests with a Debt Exemption Request form to the Minister of SNS who will coordinate approval by Minister of Finance and Treasury Board. (See Appendix II-L). For clarity, refer to Exemption Request process flow diagram. (See Appendix II-M).
- Following this review, if the exemption is approved, the Minister of SNS will advise the department or governmental unit and copy Collection Services exempting such debts owed as is deemed necessary.
- Where approval is not provided for exemption, the department or governmental unit must transfer debts to Collection Services.

- Accounts may be transferred electronically via SAP, Program Interface, paper or approved spreadsheet template. (See Appendix II-J).
- No Collection Officer shall initiate any verbal communication with a debtor unless seven (7) days have elapsed from the date of the first written communication sent to the debtor to the last known address.
- No Collection Officer shall call outside approved calling times (See Appendix II-I).
- All records of a collection activity will be maintained and discarded in accordance with an approved method and retention schedule by the Provincial Records Management policy. (STAR/STOR)
- All records of a collection activity that pertain to collection of a debt shall be shredded prior to disposal to ensure that the identity of the debtor is always kept confidential.
- The Collection Officer shall ensure that undue hardship is not caused to a debtor and that all debts are repaid within the debtors' financial ability to do so. This is achieved by working with the debtor using the Positive Path to Debt Resolution process to reach a payment arrangement within the debtors' financial means to repay.
- Any breach of Code of Conduct or Pledge of Confidentiality noted later in this document, upon substantiated investigation, may be grounds for disciplinary action which may include dismissal.

## Guidelines

### **ACCEPTANCE OF ELECTRONIC PAYMENTS**

The Province of Nova Scotia provides a secure electronic payment portal for citizen convenience and consistency when accepting public money.

The Province of Nova Scotia has adopted the payment card industry standards (PCI) for its electronic payment systems for government.

The payment portal ensures that adequate security and process standards are maintained including safeguarding the integrity and non-repudiation of transactions and data storage, retention and use.

SNS and Finance and Treasury Board are responsible for determining and approving a standard suite of electronic payment options and delivery models and payment card industry requirements.

## **APPLICATION OF PAYMENTS**

### **For Debtors with more than one debt type**

When a payment has been received and two or more debt areas have claims against a debtor, they must be addressed in the following order unless otherwise provided in an applicable agreement or enactment:

- First, by the expressed statements or implied actions of the debtor
- Second, to the government's advantage, and
- Third, to the earliest debt in time
- Payments processed through automated transfer from CRA will be applied based on the rules set for the Set Off and ARSOP Programs at CRA.

## **ACCESS TO PERSONAL RECORDS**

Upon request in writing and in accordance with FOIPOP, a debtor may request in writing, records to which they are entitled on file regarding their account record, correspondence, and other records on file with Collection Services or the department or other entity for whom Collection Services is collecting the debt.

## **LEGAL ACTION**

If legal action is required, it will be initiated in consultation with the initiating department or governmental unit and is at the expense of the debtor.

If legal action is required for public sector bodies, the Collection Officer will refer the debt to the public sector body legal representative for action.

## **COLLECTION CHARGES**

Notwithstanding any agreement to the contrary between a debtor and the department or other entity, any charges made or incurred by Collection Services to collect the debt shall be deemed to be a part of the amount owing by the debtor and shall be recoverable by the Collection Services Unit acting on behalf of the department or other entity.

## **IDENTIFICATION**

A Collection Officer employed by Collection Services must ensure:

- all written communication by personal letter, or form letter having a style of a personal letter, regarding the collection of a debt, shall include the name and signature of the Collection Officer, and be sent on provincial letterhead.
- all written communication via email transmission must be conducted via the email account assigned to the Collection Officer.

- all written communication via social media must include the 1800# only and be in the approved format which does not identify the reason for seeking contact.
- all communication regarding the collection of a debt, shall identify the Collection Officer's name and shall state they are employed by SNS, Province of Nova Scotia.
- at all times during collection activities, Collection Officers must comport themselves with dignity and decorum thus ensuring interaction with debtors positively reflects on the Province.

#### **PRIVATE MEETING PLACE**

Collection Services always shall have available an adequate meeting space where Collection Officers may receive debtors in private, with access to a formal door which can be closed to protect privacy of information disclosed during a personal interview.

## **References**

The following legislation/regulation relate directly to the Corporate Collection Policy:

- Appendix II-A Sections 2(z);15 (1)(2) & (3); 24 (1); 63(1) (2); 65 (1)(2) of *Finance Act*
- Appendix II-B Section 25 N (l) of the *Public Service Act*
- Appendix II-C The use and disclosure of personal information by departments and governmental units is subject to FOIPOP, in particular Sections 20, 21, 24, 26, 27 and 28.
- Appendix II-D Privacy and Confidentiality
- Appendix II-E Fees
- Appendix II-F *Public Sector Compensation Disclosure Act* supported by the *Public Sector Body Designation Regulations*.
- Appendix II-G Collection Procedures and Practices
- Appendix II-H Code of Conduct
- Appendix II-I Approved Calling Times
- Appendix II-J Electronic transfer data field requirements
- Appendix II-K Debt Source Profile Sheet for review of programs
- Appendix II-L Debt Exemption Request
- Appendix II-M Debt Exemption Process Flow



## Enquiries

SNS Collection Services Unit

Director, Collection Services

(902) 424-3091 Director.Collections@novascotia.ca

---

Approval date: **February 4, 2020**

Effective date: **April 1, 2020**

Approved by: **Treasury and Policy Board**

Administrative update: **July 6, 2023**

---

## **APPENDIX II-A**

### **FINANCE ACT CHAPTER 2 OF THE ACTS OF 2010**

#### **INTERPRETATION**

##### **Section 2**

2 (z) “Public money” means all money belonging or payable to, or received, collected or held by, for or on behalf of, the Province, and includes revenue of the Government Reporting Entity and money raised on the credit of the Province, but excludes trust funds.

#### **INTEREST ON DEBT OWED TO PROVINCE**

##### **Section 15**

15 (1) Where no provision is made in an enactment or agreement respecting the payment of interest on any receivables and debts due to the Province, interest is payable, commencing on the thirtieth day after the receivable or debt is due and owing, at the prime rate for Canadian-dollar commercial loans in Canada plus three per cent, compounded monthly.

(2) The interest rate referred to in subsection (1) must be determined quarterly on the first day of January, the first day of April, the first day of July and the first day of October of each year.

(3) Notwithstanding subsection (1), the Minister may waive the payment of interest or prescribe a lower rate of interest than that referred to in subsection (1).  
2010, c.2, s.15

#### **SETTLEMENT OF CLAIM BY OR AGAINST PROVINCE**

##### **Section 24**

24 (1) Where a person has an obligation or debt due to the Province or the Province has a claim against a person, the Governor in Council may, subject to any other Act affecting such obligation, debt or claim, direct the Minister to negotiate and accept a settlement in payment and satisfaction of such obligation, debt or claim, or to determine that any such obligation, debt or claim is not collectable, write off any loss incurred in any such settlement or determination and charge it to the General Revenue Fund.

## **NOTICE AND CERTIFICATE FOR DEFAULT**

### **Section 63**

63 (1) Where the Minister has reason to believe that a person

- (a) has received public money and has not paid it over;
- (b) has received public money for which the person is accountable and has not accounted for it; or
- (c) has in the person's possession or control any public money applicable to a purpose and has not applied it to that purpose, the Minister may give notice to that person or, in the case of that person's death, to that person's personal representative, requiring payment over, accounting for or application of the money and to provide to the Minister satisfactory evidence that the person has complied with the terms of the notice.

(2) When default is made in the payment, accounting or application of public money by any person, the Minister may issue a certificate stating the amount so due, the amount remaining unpaid, including interest on the amount due in accordance with subsection 15(1) from the date of the notice given under subsection (1), and the name of the person by whom it is payable, and may file the certificate with any prothonotary of the Supreme Court of Nova Scotia or a clerk of that Court and, when so filed, the certificate is of the same force and effect, and all proceedings may be taken on it, as if it were a judgment of the Court for the recovery of a debt of the amount stated in the certificate against the person named in it.

## **SET-OFF BY PROVINCE OF DEBT**

### **Section 65**

65 (1) Where, in the opinion of the Minister, a person is indebted to the Province, including as a result of an overpayment, in any specific sum of money, the Minister may retain by way of deduction or set-off the amount of the indebtedness out of any sum of money that is or may be due and payable by the Province to the person.

(2) Where the Province owes money to a person and the person is directed by the judgment of a court of competent jurisdiction or an official demand made pursuant to law to pay to the Government of Canada a sum of money, the Minister may retain and pay to the Government of Canada that sum by way of deduction or set-off out of any sum that is or may be due and payable by the Province to that person.

**Appendix: II-B**

**PUBLIC SERVICE ACT  
CHAPTER 376  
OF THE REVISED STATUTES, 1989**

**POWERS OF MINISTER 25N**

The Minister of Service Nova Scotia has, unless specifically assigned to another member of the Executive Council, the supervision, direction and control of all affairs and matters relating to

(l) the collection of debts for departments and governmental units under programs designated by the Minister of Finance and Treasury Board;

## Appendix II-C

### *Freedom of Information and Protection of Privacy Act*

#### **CHAPTER 5 OF THE ACTS OF 1993**

##### **PERSONAL INFORMATION**

20 (1) The head of a public body shall refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) In determining pursuant to Subsection (1) or (3) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

- (a) the disclosure is desirable for the purpose of subjecting the activities of the Government of Nova Scotia or a public body to public scrutiny;
- (b) the disclosure is likely to promote public health and safety or to promote the protection of the environment;
- (c) the personal information is relevant to a fair determination of the applicant's rights;
- (d) the disclosure will assist in researching the claims, disputes or grievances of aboriginal people;
- (e) the third party will be exposed unfairly to financial or other harm;
- (f) the personal information has been supplied in confidence;
- (g) the personal information is likely to be inaccurate or unreliable; and
- (h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant.

(3) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if

- (a) the personal information relates to a medical, dental, psychiatric, psychological or other health care history, diagnosis, condition, treatment or evaluation;

(b) the personal information was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;

(c) the personal information relates to eligibility for income assistance or social service benefits or to the determination of benefit levels;

(d) the personal information relates to employment or educational history;

(e) the personal information was obtained on a tax return or gathered for the purpose of collecting a tax;

(f) the personal information describes the third party's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;

(g) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(h) the personal information indicates the third party's racial or ethnic origin, sexual orientation, gender identity or religious or political beliefs or associations; or

(i) the personal information consists of the third party's name together with the third party's address or telephone number and is to be used for mailing lists or solicitations by telephone or other means.

(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if

(a) the third party has, in writing, consented to or requested the disclosure;

(b) there are compelling circumstances affecting anyone's health or safety;

(c) an enactment authorizes the disclosure;

(d) the disclosure is for a research or statistical purpose and is in accordance with Section 29 or 30;

(e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(f) the disclosure reveals financial and other similar details of a contract to supply goods or services to a public body;

(g) the information is about expenses incurred by the third party while traveling at the expense of a public body;

(h) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the request for the benefit; or

(i) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the request for the benefit or is referred to in Clause (c) of Subsection (3).

(5) On refusing, pursuant to this Section, to disclose personal information supplied in confidence about an applicant, the head of the public body shall give the applicant a summary of the information unless the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information.

(6) The head of the public body may allow the third party to prepare the summary of personal information pursuant to Subsection (5). 1993, c.5, s.20.

#### **CONFIDENTIAL INFORMATION**

21 (1) The head of a public body shall refuse to disclose to an applicant information

(a) that would reveal

(i) trade secrets of a third party, or

(ii) commercial, financial, labour relations, scientific or technical information of a third party;

(b) that is supplied, implicitly or explicitly, in confidence; and

(c) the disclosure of which could reasonably be expected to

(i) harm significantly the competitive position or interfere significantly with the negotiating position of the third party,

(ii) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,

(iii) result in undue financial loss or gain to any person or organization, or

(iv) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour-relations dispute.

- (2) The head of a public body shall refuse to disclose to an applicant information that was obtained on a tax return or gathered for the purpose of determining tax liability or collecting a tax.
- (3) The head of a public body shall disclose to an applicant a report prepared in the course of routine inspections by an agency that is authorized to enforce compliance with an enactment.
- (4) Subsections (1) and (2) do not apply if the third party consents to the disclosure. 1993, c.5, s.21

#### **TREATMENT OF PERSONAL INFORMATION**

- 24 (1) Personal information shall not be collected by or for a public body unless
- (a) the collection of that information is expressly authorized by or pursuant to an enactment;
  - (b) that information is collected for the purpose of law enforcement; or
  - (c) that information relates directly to and is necessary for an operating program or activity of the public body.
- (2) Where an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body shall make every reasonable effort to ensure that the information is accurate and complete.
- (3) The head of the public body shall protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.
- (4) Where a public body uses an individual's personal information to make a decision that directly affects the individual, the public body shall retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it. 1993, c.5, s.24.

#### **USE OF PERSONAL INFORMATION**

- 26 A public body may use personal information only
- (a) for the purpose for which that information was obtained or compiled, or for a use compatible with that purpose;
  - (b) if the individual the information is about has identified the information and has consented, in the prescribed manner, to the use; or
  - (c) for a purpose for which that information may be disclosed to that public body pursuant to Sections 27 to 30. 1993, c.5, s.26.



**DISCLOSURE OF PERSONAL INFORMATION**

27 A public body may disclose personal information only

- (a) in accordance with this Act or as provided pursuant to any other enactment;
- (b) if the individual the information is about has identified the information and consented in writing to its disclosure;
- (c) for the purpose for which it was obtained or compiled, or a use compatible with that purpose;
- (d) for the purpose of complying with an enactment or with a treaty, arrangement or agreement made pursuant to an enactment;
- (e) for the purpose of complying with a subpoena, warrant, summons or order issued or made by a court, person or body with jurisdiction to compel the production of information;
- (f) to an officer or employee of a public body or to a minister, if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the officer, employee or minister;
- (g) to a public body to meet the necessary requirements of government operation;
- (h) for the purpose of
  - (i) collecting a debt or fine owing by an individual to His Majesty in right of the Province or to a public body, or
  - (ii) making a payment owing by His Majesty in right of the Province or by a public body to an individual;
- (i) to the Auditor General or any other prescribed person or body for audit purposes;
- (j) to a member of the House of Assembly who has been requested by the individual, whom the information is about, to assist in resolving a problem;
- (k) to a representative of the bargaining agent who has been authorized in writing by the employee, whom the information is about, to make an inquiry;
- (l) to the Public Archives of Nova Scotia, or the archives of a public body, for archival purposes;

- (m) to a public body or a law-enforcement agency in Canada to assist in an investigation
  - (i) undertaken with a view to a law-enforcement proceeding, or
  - (ii) from which a law-enforcement proceeding is likely to result;
- (n) if the public body is a law-enforcement agency and the information is disclosed
  - (i) to another law-enforcement agency in Canada, or
  - (ii) to a law-enforcement agency in a foreign country under an arrangement, written agreement, treaty or legislative authority;
- (o) if the head of the public body determines that compelling circumstances exist that affect anyone's health or safety;
- (p) so that the next of kin or a friend of an injured, ill or deceased individual may be contacted; or
- (q) in accordance with Section 29 or 30. 1993, c.5, s.27.

**USE COMPATIBLE FOR PURPOSE INFORMATION OBTAINED**

28 A use of personal information is a use compatible with the purpose for which the information was obtained within the meaning of Section 26 or 27 if the use

- (a) has a reasonable and direct connection to that purpose; and
- (b) is necessary for performing the statutory duties of, or for operating a legally authorized program of, the public body that uses the information or to which the information is disclosed. 1993, c.5, s.28.

## **Appendix II-D**

### **Personal Privacy and Pledge of Confidentiality**

Collection Services recognizes citizens' right of privacy in relation to all records it holds. This right of privacy includes a right to appropriate protection of all information contained in paper and electronic records held by Collection Services.

Citizens' privacy is respected by Collection Services. All information (whether in written, verbal or other forms) related to an identified individual must be treated as confidential.

Confidentiality extends to everything the staff of Collection Services learns about individuals and includes everything (no matter how apparently trivial). No disclosure will occur except pursuant to law and Collection Services policy.

A Collection Officer or employee of Collection Services has access to information gathered by other government departments or by other related agencies or institutions. This information is subject to the ethical requirements of confidentiality which we expect staff to maintain and the legal requirements of *FOIPOP*. Persons making inappropriate access to or use of such information are liable to prosecution for breach of the Act.

Further, if Collection Services detects evidence of inappropriate access to or use of such information, no matter how apparently trivial in nature, such access or misuse shall be immediately investigated to determine whether there has been a breach of confidentiality and where substantiated, may lead to disciplinary action, up to and including termination of employment.

To emphasize the serious responsibility carried by Collection Services employees in safeguarding information relating to individuals and businesses, team members are required to participate in mandatory Provincial Privacy Training and to sign a Pledge of Confidentiality upon hiring and annually thereafter.

**Pledge of Confidentiality**

I have read and reviewed the policy on confidentiality of Service Nova Scotia. I understand that all information to which I may have access considered confidential, is not to be accessed or communicated except for the purpose of any or all Collection Services debt collection activity.

I understand that any breach of this policy where substantiated, may lead to disciplinary action, up to and including termination of employment.

Employee Name

Witness Name

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Appendix: II-E**

**FEEES GOVERNMENTAL UNITS AND PUBLIC SECTOR BODIES**

SNS shall be compensated for its collection services at the following rates:

**Accounts Collected Within:**

<b>0-90 days</b>	<b>10% of payment collected</b>
<b>91-120 days</b>	<b>15% of payment collected</b>
<b>121+ days</b>	<b>20% of payment collected</b>

## Appendix II-F

**Public Sector Compensation Disclosure Act**  
**CHAPTER 43**  
**OF THE**  
**ACTS OF 2010**

- 2 (f) “public sector body” means
- (i) a member of the Government Reporting Entity, as defined in the *Finance Act*,
  - (ii) a person, organization or body designated as a public sector body by the regulations, and
  - (iii) any other person, organization or body, whether or not incorporated, that does not carry on its activities for the purpose of profit and receives in a fiscal year from one or more other public sector bodies funding that totals at least five hundred thousand dollars or, where the funding is fifty per cent or more of its total revenue for the fiscal year, at least two hundred thousand dollars.

**Public Sector Body Designation Regulations**  
**made under Section 9 of the**  
*Public Sector Compensation Disclosure Act*  
**S.N.S. 2010, c.43**  
**O.I.C. 2011-262 (July 5, 2011), N.S. Reg. 234/2011**

### CITATION

- 1 These regulations may be cited as the Public Sector Body Designation Regulations.

### DEFINITION

- 2 In these regulations, “Act” means the *Public Sector Compensation Disclosure Act*.

### UNIVERSITIES UNDER THE UNIVERSITIES ASSISTANCE ACT

- 3 Any institution or organization designated as a university for any purpose under the *Universities Assistance Act* is designated as a public sector body under the Act. Effective May 11, 2015, the *Universities Assistance Act* is repealed and replaced by the *Universities Accountability and Sustainability Act*, SNS 2015, c.11.

## Appendix II-G

### Service Nova Scotia Collection Services COLLECTION PROCEDURES AND PRACTICES

#### Introduction

Collection Services at Service Nova Scotia (SNS) collect debts due to the Province of Nova Scotia which are 'internal' or 'first party' collections for their employer. As part of the Province of Nova Scotia, it is imperative that Collection Services comport its actions in accordance with the standards, practices and spirit of the *Collection Act* and the *Collection Agency Act*. Collection Services has public accountability, and practices are held under scrutiny.

All Collection Officers employed by Collection Services are required to conduct themselves within a strict set of rules which meet or exceed the required standards of the Code of Conduct noted later in this document.

Collection Services must:

- keep accurate records and reports of account showing money received and money paid out, including detailed reporting of all monies received in person, by mail, by electronic transfer, web payment, paid direct or by telephone credit card authorization in an approved method meeting the Payment Card Industry Standard (PCI). All employees are required to take annual PCI training.
- ensure all reports and records are open to audit and review by the Office of the Auditor General of Nova Scotia.
- ensure all monies received for departments within government are recorded and reported to those client departments on standard detail reports upon request, many to be delivered weekly, bi-weekly or monthly as deemed necessary by the originating department.
- ensure receipt of monies, posting, depositing and reconciling of all monies received by Collection Services must conform with the internal control segregation of duties as prescribed.
- ensure all monies received on behalf of departments are electronically recorded and transferred from the recording system AMANDA, into the Provincial SAP Financial Management module, managed by Operational Accounting at SNS.

- ensure all incoming mail including mail received for Collection Services is processed by an Enhanced Mail Process which includes mail being scanned and franked with a unique identifier by Business Registration Unit (BRU) to provide 100% tracking accountability for all documents and payments received for processing and payment centre.
- ensure all monies, payments and payables are reconciled monthly to amounts recorded in Amanda, SAP, the Cash Cage, and are deposited to the credit of the Minister of Finance and Treasury Board into the General Revenue Fund.
- The segregation of duties model of BRU and Collection Services ensures the security and accountability for the program.



## Appendix II-H

### Collection Services — Code of Conduct

Neither Collection Services nor any Collection Officer shall:

- collect or attempt to collect a debt more than the amount owing by the debtor;
- collect or attempt to collect money without first satisfying themselves that the money is owing by the debtor;
- send any telegram, or mail, or make any telephone call, for which charges are payable by the addressee or the person to whom the call is made, to a debtor for the purpose of demanding payment of a debt;
- communicate with a debtor when the latter has notified them in writing to communicate with their legal advisor;
- initiate contact with a debtor unless there has previously been sent a notice in writing at the last known address
- use any form or form of letter not previously approved by the Director, Collection Services;
- use, any summons, notice, or demand, or other document that has not been approved in form by the Director, Collection Services.
- in any way threaten, abuse or intimidate a debtor either orally or in writing to induce a person to pay a debt;
- make telephone calls or personal calls or written communications of such nature or with such frequency as to constitute harassment of the debtor, their spouse or any member of their family;
- make telephone calls or personal calls for the purpose of demanding payment of a debt
  1. On a Sunday, or
  2. On any other day except between the hours of eight o'clock in the forenoon and nine o'clock in the afternoon. (See Schedule II-I).
- give, by implication, inference or statement, directly or indirectly, false or misleading information to any person that may be detrimental to a debtor, their spouse or any member of their family in accordance with the Pledge of Confidentiality. (Appendix II-D).

- give, or threaten to give, by implication, inference or statement, directly or indirectly, to the person who employs a debtor, their spouse or any member of their family information that may adversely affect the employment or employment opportunities of the debtor, their spouse or any member of their family;
- make a demand by telephone by personal call or by writing for payment of an account without indicating to whom the debt is owed, the balance of the account and the identity and authority of the person making the demand;
- except to obtain the debtors address, communicate with the employer, acquaintances, friends, relatives or neighbours of the debtor except in the case of a person who is surety for the debtor; or
- commence or continue an action for a debt recovery unless the debt has been assigned to the collection section in good faith and notice of assignment has been given to the debtor.

**Appendix II-I****Approved Calling Schedule**

Following schedule of approved calling times must be strictly adhered to at all times:

Province Calling To: Weekday or Saturday Only	Not Before Nova Scotia Time am	Not After Nova Scotia Time pm
Newfoundland Labrador	7:30 8:00	8:30 9:00
Nova Scotia	8:00	9:00
Prince Edward Island	8:00	9:00
New Brunswick	8:00	9:00
Quebec*	9:00	10:00
Ontario	9:00	10:00
Manitoba	10:00	11:00
Saskatchewan *		
Summer	10:00	11:00
Winter	11:00	12:00
Alberta	11:00	12:00
British Columbia*	12:00	1:00 am
North West Territories	11:00	12:00
Nunavut	10:00	11:00
Yukon	12:00	1:00 am

\*Saskatchewan, some parts of Quebec and some parts of British Columbia do not practice Daylight Savings Time; extra care should be taken when contacting persons from these areas.

**Appendix II- J****Approved spreadsheet template data submission fields**

FORWARD ONE TRANSFER SPREADSHEET PER DEBT SOURCE TYPE PROFILE SHEET

Place fields across a spreadsheet and complete one row for each debtor.

<b>Program Debt Profile Name</b>	
<b>Must be forwarded with Debt Source Profile Sheet</b>	
<b>SAP Business Area:</b>	<b>GL Number:</b>
<b>Debtor's First, Middle, Last Name</b>	<b>REQUIRED!</b>
Cross Reference Program File Number	
<b>SIN</b>	<b>EMPTY OR 9 DIGETS</b>
<b>Birth Date</b>	<b>EMPTY OR YYYYMMDD</b>
House Number	
Street Name	
Street Type	
Street Direction	
Unit Type Description	
Unit Number	
City	
Province	
Country	
Postal Code	
Phone No 1	
Phone Desc 1	
Phone No 2	
Phone Desc 2	
Phone No 3	
Phone Desc 3	
Email-Address	
<b>Debt Amount</b>	<b>REQUIRED!</b>
<b>Debt Date</b>	<b>REQUIRED!</b>
Comments/ debt particulars / Last Payment Date/AKA's for Party	

## Appendix II-K

### Debt Source Profile Sheet

FOR RETURN TO COLLECTION SERVICES UNIT  
ONE SHEET PER DEBT SOURCE

Please provide detail related to each debt source. The detail should include the type of debt, volume or number of debts, dollar value of debt source.

Please complete a sheet for each debt source and return to:

Director.Collections@novascotia.ca

Department: \_\_\_\_\_

Business Area: \_\_\_\_\_

Cost Centre: \_\_\_\_\_

Debt source reason: \_\_\_\_\_

Program Contact Name and Contact Telephone Number:

\_\_\_\_\_

Debt Source:	Volume of Debts	Value of Debts
<input type="checkbox"/> Loan	_____	_____
<input type="checkbox"/> Invoice	_____	_____
<input type="checkbox"/> Lease	_____	_____
<input type="checkbox"/> Purchase	_____	_____
<input type="checkbox"/> Penalty/Fine	_____	_____
<input type="checkbox"/> Other	_____	_____

Please add any additional relevant data.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature

## Appendix II-L

### Debt Type Exemption Request

PLEASE FORWARD TO COLLECTION SERVICES UPON COMPLETION

The Honourable Minister \_\_\_\_\_ of Department requests authorization to exempt the following debt sources from the mandatory assignment of debt to SNS Collection Services Unit.

Please provide detail related to each debt source for which you are seeking exemption and forward to Director.Collections@novascotia.ca who will record request and forward the request to the Minister of SNS who will facilitate transfer to the Minister of Finance and Treasury Board. Detail should include the type of debt, volume (number of debts), dollar value of debt source, identifying characteristics of payee (ie Federal Government; forgivable loan). and the reason it is felt necessary for exemption.

**Please complete one sheet for each debt source.**

Debt Source:	Volume of Debts	Value of Debts
<input type="checkbox"/> Loan	_____	_____
<input type="checkbox"/> Invoice	_____	_____
<input type="checkbox"/> Lease	_____	_____
<input type="checkbox"/> Purchase	_____	_____
<input type="checkbox"/> Penalty/Fine	_____	_____
<input type="checkbox"/> Other	_____	_____

Please detail the reason exemption is being sought.

---



---



---

EXEMPTION APPROVED:

EXEMPTION DENIED:

---

Honourable Allan MacMaster  
Minister of Finance and Treasury Board

**Where Exemption has not been approved; debts are required to be assigned to Collection Services Unit forthwith.**

Appendix I I-M

Debt Type Exemption Requests Process Flow Diagram

