



Policy Name

Privacy Protection Policy

Policy Number

ADM- 12

Policy Statement

Brazeau County is committed to protecting personal information and privacy in accordance with the privacy protection provisions of the *Freedom of Information and Protection of Privacy (FOIP) Act*.

Brazeau County and its staff has the responsibility when working with personal information, to collect, use and disclose it only when necessary to perform job duties, and to maintain personal information in a secure manner.

The Chief Administrative Officer/FOIP Head will ensure privacy management guidelines are available as required/requested. This will include information and practices in respect of Privacy Impact Assessments, protocol for handling third party personal information, consultation and FOIP training/education.

Policy

Legislative Provisions:

Collection, use, protection and disclosure of personal information are described by sections 33, 34, 38, 39 and 40 of the FOIP Act. In certain instances, another statute for which Brazeau County is responsible may have its own scheme for collection, use and disclosure of personal information (eg. *Fatality Inquiries Act, Maintenance Enforcement Act*). In instances in which another statute is paramount over the FOIP Act, this will be expressly provided for in the other statute.

Chief Administrative Officer _____
Approved by Council: 11/12/06 _____
Revision Dates: _____
Reviewed: 14/06/13 _____

General Provisions:

“Personal information” means recorded information about an identifiable individual, as defined in section 1(n) of the FOIP Act.

- The collection of personal information must be limited to the minimum required to perform assigned duties and responsibilities [section 33(a), (b), and (c)].
- Any collection of personal information must be made directly from the individual the information is about, except in certain limited circumstances [section 34(1)].
- Notification of the purposes of and authority for the collection of personal information must be provided to the individual, when the personal information is collected directly from the individual [section 34(2)]. This notification must also provide contact information if the individual has any questions.
- When personal information is used to make a decision that affects an individual, every reasonable effort must be made by Brazeau County and its staff to ensure the personal information is accurate and complete [section 35(a)].
- Personal information used to make a decision about an individual must be retained for one year from the date of the last use in most cases [section 35(b)].
- Brazeau County must make reasonable security arrangements for the protection of personal information against unauthorized access, collection, use, disclosure and destruction [section 38].
- The use of personal information is limited to the purpose(s) for which it was collected or a use consistent with that purpose [section 39].
- Personal information may only be disclosed in certain circumstances and for certain defined purposes and only when the disclosure is consistent with the purpose(s) for which it was collected [section 40].
- Personal information may be disclosed for research or statistical purposes only under specific controlled conditions [section 42].
- Any disclosure of personal information must be documented [tracking is done by the FOIP Office for any disclosure that is handled formally under the Act].

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Privacy Breaches

A “privacy breach” is an incident that involves unauthorized disclosure of personal information in the custody or under the control of Brazeau County. This includes situations in which personal information is stolen or lost, or to which an unauthorized individual has gained access. Circumstances that could lead to a privacy breach, and to which Brazeau County staff must pay particular attention include but are not limited to:

- Personal information being faxed to a wrong number or mailed to an incorrect address or recipient.
- Loss of equipment containing personal information, such as memory sticks, laptops, fax machines or filing cabinets.
- Disposal of equipment without secure destruction of the personal information it contains.
- Intrusions into buildings, file storage containers/areas, or computer systems or networks.

The process for responding to privacy breaches contains four major steps:

- **Step 1** – Respond. This includes reporting the incident to senior staff – the Chief Administrative Officer/FOIP Head, assessing the situation and containing the damage.
- **Step 2** – Notify. There is a requirement to notify other parties including, most importantly, the individuals whose personal information was involved in the incident. The Chief Administrative Officer/FOIP Head can assist with notification, particularly in those instances in which individuals outside Brazeau County are affected.
- **Step 3** – Investigate. The Chief Administrative Officer/FOIP Head must be notified as early as possible and can assist with identifying causes/events and recommending remedial action to prevent future occurrences.
- **Step 4** – Implement change. This may be a simple overt change such as changes to the physical location to enhance the protection of stored hard-copy records or more subtle changes such as enhancing security provisions of software.

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