

PRIVACY POLICY

Note: This Policy meets the basic requirements provided for in the *Personal Information Protection and Electronic Documents Act, SC 2000, c 5* (“PIPEDA”). The Policy should be reviewed and updated, depending on the specific practices that may be undertaken by each Community.

PART I: BACKGROUND

Introduction and Scope

1. *Insert Community* (the “Community”) recognizes the importance of privacy and the sensitivity of personal information. The Community provides a broad range of services and employs a large number of individuals, which requires the collection of personal information. This policy outlines how the Community will manage Personal Information and safeguard privacy in accordance with Federal legislation pertaining to privacy and security of information.
2. The Community is committed to maintaining the accuracy, security and privacy of Personal Information in accordance with applicable legislation. The objective of this Policy is to maintain responsible and transparent practices in the management of personal information.
3. The primary purposes of this Policy are to:
 - a. implement methods to protect Personal Information;
 - b. establish methods to receive and respond to complaints and inquiries; and
 - c. establish methods of training staff and communicating to staff information about the Community’s policies and practices.
4. This Policy applies to Personal Information that is collected, used and/or disclosed by the Community in relation to Employees and Customers. This Policy also provides for the procedures for management of Personal Information under the control of the Community.

Definitions

5. In this Policy, these words shall have the following meanings:
 - a. **Customer** means an individual to whom the Community provides goods or services, whether that individual resides in the Community or not;
 - b. **Employee** means any employee, volunteer or contractor that is employed by the Community or is an applicant for employment with the Community;
 - c. **Personal Information** means information about an identifiable individual as defined from time to time in applicable privacy legislation. Personal information does not include business contact information, including name, position or title, business telephone number, fax number, business address, and business email address.

- d. **Privacy Officer** means that individual who is appointed as designated officer to oversee compliance of the Community with this Policy pursuant to Part VII of this Policy.

PART II: COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

Purpose of Collection

6. In general, the Community collects, uses and discloses Personal Information about Customers and Employees in order to provide services for members of the Community. More specifically, the Community collects, uses and discloses Personal Information for the following purposes:
 - a. to establish and maintain responsible commercial relations with Customers and to provide ongoing service;
 - b. to understand Customer needs;
 - c. to develop, enhance, market or provide municipal products and services;
 - d. to manage and develop the Community's business and operations, including personnel and employment matters; and
 - e. to meet legal and regulatory requirements.
7. The purposes for which Personal Information is collected shall be identified by the Community at or before the time the information is collected.
8. At the time of collection, the Community shall document the purposes for which the Personal Information is collected.
9. Upon request, persons collecting Personal Information shall explain the purposes for which the information is being collected, or refer the individual requesting the purposes to a designated person within the Community who shall explain the purposes of collection.
10. The Community will only collect, use and disclose personal information to the extent that is reasonable in order to meet or achieve the identified purpose.
11. Should a new purpose for use or disclosure arise, the information will not be used or disclosed without first identifying the new purpose to the individual to whom the Personal Information pertains and obtaining consent, except as otherwise permitted by relevant legislation.

Consent

12. The Community shall seek the consent of the individual whose Personal Information is being collected prior to or at the time of collection, for the collection, use and disclosure of that information.

13. Where consent cannot be obtained at the time of or prior to collection, consent shall be obtained prior to use or disclosure of the Personal Information.
14. In obtaining consent, persons collecting Personal Information shall make a reasonable effort to ensure that the individual to whom the Personal Information pertains is advised of the identified purposes for which the Personal Information will be used or disclosed, in a manner that the individual can reasonably understand.
15. The Community may collect Personal Information without the consent of the individual if:
 - a. The collection is in the interests of the individual and consent cannot be obtained in a timely manner;
 - b. The Personal Information was produced in the course of the individual's employment, business or profession and the collection is consistent with the purposes for which the information was produced;
 - c. The collection is made for the purposes of making a disclosure required by law;
 - d. Collection is necessary to establish, manage or terminate an employment relationship between the Community and the individual and the Community has informed the individual that the Personal Information will be or may be collected, used or disclosed for those purposes; and
 - e. Other circumstances arise which require the collection of Personal Information, and such collection is allowed or required by law without consent.
16. The Community may use Personal Information without the consent of the Customer or Employee if:
 - a. The information is used for the purpose of acting in respect of an emergency that threatens the life, health or security of an individual;
 - b. The information was produced by the individual in the course of their employment, business or profession and the use by the Community is consistent with the purposes for which the information was produced;
 - c. Use is necessary to establish, manage or terminate an employment relationship between the Community and the individual and the Community has informed the individual that the personal information will be or may be collected, used or disclosed for those purposes; and
 - d. Other circumstances arise which require the use of Personal information, and such use is allowed or required by law without consent.
17. The Community may disclose Personal Information without consent of the Customer or Employee:
 - a. To another government agency for the effective provision of a municipal or government service;
 - b. To a company involved in supplying the Customer with municipal services;
 - c. To collect a debt owing to the Community, including to but not limited to an agent retained by the Community to assist with collection of such a debt;
 - d. To comply with a Court Order or other legal requirements;

- e. If such disclosure is required by law;
 - f. If disclosure is necessary to establish, manage or terminate an employment relationship between the Community and the individual and the Community has informed the individual that the personal information will be or may be collected, used or disclosed for those purposes;
 - g. To a third party or parties, where the Customer or the Employee has consented to such disclosure as an agent for the Customer or Employee;
 - h. For normal personnel and benefits administration of the Community's Employees;
 - i. In the context of providing references regarding current or former Employees in response to requests from prospective employers; and
 - j. Other circumstances arise which require the disclosure of Personal Information, and such disclosure is allowed or required by law without consent.
18. The Community shall not, as a condition of the supply of a product or service, require a Customer to consent to the collection, use or disclosure of Personal Information beyond that required to fulfill the purposes for which it is collected.
19. A Customer or Employee may withdraw their consent to the collection, use or disclosure of Personal Information at any time, on reasonable notice and subject to any legal or contractual restrictions. A Customer or Employee may contact the Privacy Officer for more information regarding the implications of withdrawing consent.

Limiting Collection

20. The Community will only collect Personal Information that is required in order to fulfil the purposes identified for collection.
21. The Community will collect Personal Information primarily from the Customer or the Employee.
22. The Community may collect Personal Information from other sources including other government agencies and bodies, employers or personal references, or other third parties that represent that they have the right to disclose such information.
23. The type of Personal Information collected will be consistent with the purposes for which it is collected.

Limiting Use, Disclosure and Retention

24. The Community will only use or disclose Personal Information for the purposes for which it was collected, unless consent has been provided by the individual or as required by law.
25. In certain circumstance, Personal Information may be collected, used or disclosed without the knowledge and consent of the individual. See Sections 15 to 17.

26. Only those Employees of the Community who require access for business reasons or whose duties reasonably so require shall be granted access to Personal Information about Customers and Employees.
27. The Community will only retain Personal Information for so long as it is necessary to fulfill the purposes for which the information was collected.
28. Where Personal Information is used to make a decision about an individual, that information shall be retained long enough to allow the individual access to the information after the decision has been made.
29. Personal Information which the Community no longer needs to retain shall be destroyed, erased or made anonymous [*OPTIONAL in accordance with the Community's Records Retention and Destruction Policy.*]

Accuracy

30. Personal information used by the Community shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about an individual to whom the Personal Information relates.
31. The Community will routinely update Personal Information about Customers and Employees only where the update is necessary to fulfil the purposes for which the Personal Information was collected or upon notification of the individual.

PART III: ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Openness

32. The Community will make the following information available upon request:
 - a. the name or title, and the address, of the person accountable for the Community's policies and practices and to whom complaints or inquiries can be forwarded;
 - b. the means of gaining access to Personal Information held by the Community;
 - c. a description of the type of Personal Information held by the Community, including a general account of its use;
 - d. a copy of any information available explaining the Community's policies, standards, or codes; and
 - e. what Personal Information is made available to related organizations.

Individual Access

33. Upon written request, subject to certain exceptions, the Community will inform individuals of the existence, use and disclosure of that individual's Personal Information

and give that individual access to that information. Access requests should be sent to *Insert Contact Information.*

34. The Community shall respond to access requests within a reasonable period of time. The requested information shall be provided or made available in a form that is generally understandable.
35. The Community reserves the right to refuse to provide access to information in circumstances where providing access would reveal Personal Information about a third party; if the release of the Personal Information could affect the security of an individual; or if the Personal Information is subject to privilege.
36. *OPTIONAL Upon request, the Community shall provide an account of the use and disclosure of Personal Information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, the Community shall provide a list of organizations to which it may have disclosed Personal Information about the individual when it is not possible to provide an actual list.*
37. If the Personal Information requested cannot be provided, then the Community will provide reasons for refusing disclosure.
38. Where the individual has requested their Personal Information and demonstrates that such Personal Information is inaccurate or incomplete, the Community will amend the information as required. Any unresolved difference as to the accuracy or completeness of Personal Information shall be noted in the individual's file.

PART IV: RETENTION AND DISPOSAL OF PERSONAL INFORMATION

Retention

39. The Community shall not retain Personal Information of a Customer any longer than required for the delivery of the services for which the Personal Information was collected. Further, the Community shall not retain Personal Information of an Employee any longer than necessary.
40. Where Personal Information is used to make a decision about an individual, that information shall be retained long enough to allow the individual access to the information after the decision has been made.

Disposal

41. Personal Information which the Community no longer needs to retain shall be destroyed in a secure manner.

42. The Community shall use care in the disposal or destruction of Personal Information so as to prevent unauthorized parties from gaining access to the information.

PART V: RESPONSIBLE USE OF INFORMATION AND INFORMATION TECHNOLOGY

Safeguards

43. The Community will protect Personal Information against such risks as loss or theft, unauthorized access, unauthorized disclosure or modification, through security measures including:
 - a. physical measures;
 - b. organizational measures; and
 - c. technological measures.
44. The Community shall protect Personal Information that it discloses to third parties by contractually agreeing and stipulating the confidentiality of such information and the purpose for which it is to be used.
45. The Community will ensure that all Employees with access to Personal Information of Customers or Employees shall be required as a condition of employment to respect the confidentiality of Personal Information and that all Employees are aware of the importance of maintaining the confidentiality of Personal Information as part of training requirements.

PART VI: CHALLENGING COMPLIANCE

46. The Community shall maintain procedures for receiving and responding to complaints or inquiries about policies and practices for Customers or Employees relating to the handling of Personal Information.
47. The Community shall inform individuals who make inquiries or lodge complaints of the existence of relevant complaint procedures.
48. The Community shall investigate all complaints made through the proper complaint procedure. Where complaints are justified, the Community will take the necessary steps to remedy the contravention.
49. The Privacy Officer responsible for compliance with this Policy may seek external advice where appropriate prior to providing a final response to individual complaints.
50. The Community, as the case may be, shall investigate all complaints concerning compliance with this Policy. If a complaint is found to be justified, the Community shall take appropriate measures to resolve the complaint. This may include, but is not limited

to, amending this Policy and its practices and procedures. A Customer or Employee shall be informed of the outcome of the investigation regarding his or her complaint.

51. If the complaint is not resolved to the satisfaction of the complainant, the complainant may forward their complaint to the Office of the Privacy Commissioner of Canada.

PART VII: PRIVACY OFFICER

52. The Community has designated *Insert Position* to oversee compliance with the Policy. The Privacy Officer may be contacted at:

Insert Contact Information, including mailing address, telephone number, email, etc.

53. Responsibility for ensuring compliance with the Policy and principles provided for in the federal legislation rests with the Privacy Officer.
54. The Privacy Officer may delegate authority to other individuals within the Community to act on behalf of the Privacy Officer or to take responsibility for the day-to-day collection and processing of Personal Information.