

EDMONTON

ADMINISTRATIVE PROCEDURE



TITLE

PRIVACY

NUMBER

A1433A

DEPARTMENT

OFFICE OF THE CITY MANAGER

DELEGATED AUTHORITY

FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT (FOIP) S 85

CONTACT

CORPORATE FOIP ANALYST 496-8159

DEFINITIONS

DATE

JUNE 11, 2004

City - The City of Edmonton as defined in Bylaw 12100, Freedom of Information and Protection of Privacy Bylaw.

Collection - Collection occurs when a public body gathers, acquires, receives or obtains personal information. It includes activities where individuals respond through interviews, questionnaires, surveys, polling, or by completing forms in order to provide information to public bodies. The means of collection may be in writing, audio or video taping, electronic data entry or other such means.

Disclosure - Disclosure means to release, transmit, reveal, expose, show, provide copies of, tell the contents of, or give personal information by any means to someone. It includes oral transmission of information by telephone, or in person; provision of personal information on paper, by facsimile or in another format; and electronic transmission through electronic mail, data transfer or the Internet.

Employee - Includes all persons employed by the City including those employed on a personal services contract and any person who performs a service for the public body as an appointee, volunteer or student or under a contract or agency relationship with the City.

FOIP - The *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25.

Personal Information - Is defined in s.1(n) of FOIP and is recorded information about an identifiable individual, including the individual's name, home or business address or home or business telephone number, the individual's race, national or ethnic origin, colour, religious or political beliefs or associations, the individual's age, sex, marital or family status, information about the individual's

AS TO FORM:

AS TO CONTENT:

PAGE 1 OF 4

EDMONTON

ADMINISTRATIVE PROCEDURE

TITLE

PRIVACY

NUMBER

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educational, financial, employment or criminal history, anyone else's opinions about the individual, etc. For a complete list, see s.1(n) of FOIP.

Public Body - Is defined in s.1(p) of FOIP and includes the City of Edmonton.

Privacy Impact Assessment - A process that describes how proposed administrative practices and information systems relating to the collection, use and disclosure of personal information may affect the privacy of the individual who is the subject of the information.

Record - Is defined in s.1(q) of FOIP and means a record of information in any form and includes notes, images, audio-visual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software programs or packages or any mechanism that produces records.

Use of Personal Information - Employing it to accomplish the public body's purposes, for example, to administer a program or activity, to provide a service or to determine eligibility for a benefit. Access to a file or database by program staff or contracted agents is 'use' under FOIP

PROCEDURES AND GUIDELINES

Within the limits required by law, this Privacy Directive provides persons with control over the City's collection, use, disclosure and storage of their personal information.

Employees are expected to familiarize themselves with and abide by the Privacy Code as outlined in Attachment I

The Web Privacy Code must be linked to every page of the City of Edmonton web site.

The City Manager, pursuant to Bylaw 12100, FOIP Bylaw, is the FOIP Head. Some powers under FOIP have been delegated within the FOIP Delegation Matrix. Delegations are only made to General Managers, FOIP Coordinators and the FOIP Manager (City Clerk). Pursuant to FOIP, no sub-delegation is permitted.

The FOIP Manager is responsible for liaising with the Office of the Information and Privacy Commissioner on the following matters:

- Privacy breaches
- Privacy complaints
- Access appeals

The City Auditor will consider and prioritize, within the context of the current annual work plan of the City Auditor, any written request from the Administration to conduct the "audit" portion of a Privacy Impact Assessment

EDMONTON

ADMINISTRATIVE PROCEDURE

TITLE

PRIVACY

NUMBER

A1433A

DATE

JUNE 11, 2004

General Managers are expected to define privacy standards within their departments that are consistent with and supplement this directive. These will include:

- a) Written privacy strategies, goals, procedures, standards and guidelines for the collection, use and disclosure of personal information;
- b) Ensuring that managers, supervisors and employees receive appropriate privacy training thereby providing adequate information to all employees with respect to their responsibilities under the Privacy Directive;
- c) Being responsible and accountable for personal information control and security systems in their departments;
- d) Ensuring that project teams include a Privacy Impact Assessment in the initial plan stage for the project or program and that resources are assigned to complete the Privacy Impact Assessment in the initial plan for the project.

Employees are expected to respect the confidentiality of personal information and comply with their departments' information control and security systems.

Employees should report any breaches of privacy to their immediate supervisor or in accordance with other established department procedures. Employees are expected to respect the confidentiality of personal information and comply with their departments' information control and security systems.

Section 82 of FOIP permits an employee to disclose to the Information and Privacy Commissioner any information that the employee is required to keep confidential so long as the employee believes that the information ought to be disclosed, or if the information is being collected, used or disclosed in contravention of the privacy provisions of FOIP.

Privacy Impact Assessment

The Privacy Impact Assessment process has been developed by the Office of the Information and Privacy Commissioner to assist public bodies in reviewing the impact that new projects may have on an individual's privacy. Privacy consideration should be integrated at the earliest stages of development of new programs, schemes or automated information systems to ensure that these reflect the requirements of FOIP.

The process is also designed to be used by the City of Edmonton to evaluate existing programs or schemes to ensure compliance with FOIP.

A Privacy Impact Assessment conducted in a department will use the instructions and questionnaire from the Office of the Information and Privacy Commissioner. The Privacy Impact Assessment will include:

EDMONTON

ADMINISTRATIVE PROCEDURE

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PRIVACY

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JUNE 11, 2004

- A description of the project and of the nature and sensitivity of the personal information involved;
- A discussion of the relevant privacy principles and potential issues for the project, as well as suggestions as to how they should be addressed;
- A data flow analysis, including a description of the uses of the personal information and all consistent purposes and authorized disclosures;

Consideration of how the privacy requirements of FOIP will be met; and an overall assessment of the privacy impact as high, medium or low, and an analysis of threats and risks

The Office of the City Clerk will assist departments with preparation of Privacy Impact Assessments. Employees who are working on creating or upgrading a database that will contain personal information should contact the Corporate FOIP Analyst (496-8159) to obtain instructions and guidelines.

ATTACHMENTS

Attachment I – Privacy Code

Attachment II – Web Privacy Code