



**City of
Lloydminster**

Policy

Policy Title:	Privacy Policy		Policy Number:	135-01	
Date of Council Approval:	April 16, 2018	Motion No.:	94-2018	Year of Review:	2021
Department Sponsored by:	Chief of Staff				

1. Purpose:

- 1.1 The City of Lloydminster is committed to protecting the privacy and confidentiality of Personal Information that is in its custody or under its control.
- 1.2 The Collection, use, Disclosure, retention and disposition of Personal Information will adhere strictly to the provisions of the *Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*.

2. Objective:

- 2.1 The City of Lloydminster recognizes that the privacy and confidentiality of Personal Information is imperative. The City of Lloydminster pledges to treat the Personal Information of all persons with respect and privacy and in accordance with the LAFOIP Act.

3. Definitions:

Collection	Occurs when the City of Lloydminster gathers, acquires, receives or obtains Personal Information. It includes activities where individuals respond through interviews, questionnaires, surveys, polling or by completing forms. The Collection may be in writing, audio, or videotaping, electronic data entry or other such means.
Disclosure	To release, transmit, reveal, expose, show, provide copies of, tell the contents of, or give Personal Information by any means to an individual. It includes oral transmission of information by phone, in person, on paper, electronic transmission, data transfer, on the internet or any other format.

Member of Council	An individual elected pursuant to <i>The Local Government Election Act</i> (Saskatchewan) as a Member of Council.
Employee	An individual employed by the City of Lloydminster in a: contract, casual, part-time, full-time, seasonal, summer student or term position.
LAFOIP Act	The Province of Saskatchewan's <i>Local Authority Freedom of Information and Protection of Privacy Act</i> , which respects a right of access to documents of local authorities and a right of privacy with respect to Personal Information held by local authorities.
Personal Information	Recorded information about an identifiable individual. This includes: names, home and business telephone numbers and addresses, age, sex, marital status, family status, race, national or ethnic origin, colour, religious or political beliefs, fingerprints, other biometric information, information about health and health care history, educational, financial, employment or criminal history, the individuals own views or opinions about the individual.
Record	A Record of information in any form and includes notes, images, audiovisual Recordings, letters, papers and any other information that is written, in print and/or photographed.
Volunteers	An individual that performs services for the City of Lloydminster without receipt of payment.
LAFOIP Head	The Head as defined in the <i>Local Authority Freedom of Information and Protection of Privacy Act</i> , as may be amended from time to time. The LAFOIP Head may delegate any of their authority in accordance with the LAFOIP Act.

4. Scope:

- 4.1. This policy applies to all City of Lloydminster Employees, Members of Council and Volunteers.

5. Protection of Information:

- 5.1. Management shall ensure that Employee's receive appropriate privacy training as it relates to each position that comes in contact with Personal Information.
- 5.2. Employees, Members of Council and Volunteers shall respect the confidentiality of Personal Information and comply with their department's information control and security systems.
- 5.3. Employees shall report any breaches of privacy to their immediate supervisor in accordance with their applicable departmental procedures. Once reported, supervisors will confirm that a breach of privacy has occurred and will contact the Office of the City Clerk to report the breach. Supervisors are responsible for preventing further breaches of Personal Information upon notification, including retrieval of Records from an unauthorized recipient. In the event of a high level breach, the Office of the City Clerk will lead an official investigation.
- 5.4. Personal Information:
 - 5.4.1. The City of Lloydminster shall make all reasonable efforts to ensure that the Employee, Member of Council or Volunteer understands the purpose for which Personal Information is being Collected, used or Disclosed and the need for this Collection, use or Disclosure.
 - 5.4.2. The knowledge and consent of the individual shall be required for the Collection, use or Disclosure of Personal Information except when otherwise authorized by the LAFOIP Act.
 - 5.4.3. Personal Information may be Disclosed with the written consent of the individual for the specific Disclosure by completing the *Consent to Disclose Personal Information Form*.
 - 5.4.4. Disclosure of Personal Information shall be permitted if there is no other way to protect someone's health, safety or welfare or where there is an emergency and Disclosure is the quickest, most direct way to protect someone's health and safety.
 - 5.4.5. Any loss of Personal Information or inadvertent Disclosure of Personal Information shall, whenever possible be reported to the individual(s) whose information has been lost or Disclosed.
- 5.5. Collection of Personal Information:
 - 5.5.1. The knowledge and consent of the individual shall be required for the Collection, use or Disclosure of Personal Information except when otherwise authorized by the LAFOIP Act.

5.5.2. The City of Lloydminster shall not, as a condition of the supply of a program, product or service, require an individual to consent to the Collection, use or Disclosure of Personal Information beyond that required to fulfill the explicitly specified and legitimate purpose.

5.6. Accuracy of Personal Information:

5.6.1. The City of Lloydminster shall make every reasonable effort to ensure its Records of an individual's Personal Information are accurate and complete.

5.6.2. The City of Lloydminster shall provide a person access to their own Personal Information subject to limited and specific legislative requirements.

5.6.3. The City of Lloydminster shall make every effort to allow a person access to their own Personal Information to verify, update and correct it.

5.7. Protection and Retention of Personal Information:

5.7.1. The City shall protect Personal Information by making reasonable security arrangements. Personal Information shall be protected from unauthorized access, use, Disclosure or destruction through a system of administrative, physical and technical controls, including but is not limited to:

- a. Restricting access to Personal Information that is stored in an electronic format to authorized persons by requiring login credentials.
- b. Storing Personal Information in locations which are not generally accessible to members of the general public; and
- c. Securing the rooms and filing cabinets that contain Personal Information during those times in which an authorized person is not present.

5.7.2. Collection of Personal Information shall be done in a confidential manner to minimize the risk of Disclosing sensitive Personal Information to third parties.

5.8. Use and Disclosure of Personal Information:

5.8.1. The City shall use and Disclose an individual's Personal Information only:

- a. For the purpose for which it was Collected or for a use consistent with that purpose.
- b. For other purposes for which the City has the written consent from the individual; or
- c. For other purposes where the City is required or permitted to do so by law.

5.8.2. The City may use or Disclose information for the purpose of:

- a. Contacting a next of kin in the event of an emergency.
- b. Providing a routine release of information when the information is: a statutory requirement, information that is requested on a regular basis, material that is made publically available and/or no LAFOIP exceptions apply to the Record of information.

5.8.3. Any written or verbal requests for access to information that is not part of a routine release shall be directed towards the Office of the City Clerk.

5.9. Employee Records:

5.9.1. Employee Relations will maintain all Employee Records and files. The creation or duplication of Employee Records shall not be permitted. All original Records shall be forwarded to the Employee Relations Department.

5.10. Staffing:

5.10.1. Employee Relations and the Employee's supervisor or manager shares a joint responsibility regarding the obligation to protect Personal Information.

5.10.2. Personal Information will not be Disclosed to other Employee's, managers, Members of Council or third parties in which information has been obtained, Collected or created in any of the following methods including:

- a. The application process;
- b. The screening and interview process;
- c. Reference and other checks, including driver's abstract checks; criminal Record checks, etc;
- d. Medical information provided to support a Modified Work Offer or an Employee leave;
- e. Performance Reviews;
- f. Disciplinary Warnings;
- g. Resignation and termination letters;
- h. Exit interview notes.

6. Penalty:

- 6.1. Instances of possible non-compliance with the LAFOIP Act or this Policy shall be immediately reported to the Office of the City Clerk which shall conduct an investigation into the matter.
- 6.2. Any Employee found to be in violation of this policy may be subjected to a disciplinary action. Such action may be dependent upon the nature of the breach of this policy; discipline may range from a written warning to dismissal with cause.
- 6.3. Any Member of Council found to be in violation of this policy may be dealt with utilizing the "*Code of Conduct Bylaw*" or provisions of "*The Lloydminster Charter*".

7. Responsibility:

- 7.1. City Council shall review and approve all policies.
- 7.2. City Administration shall administer the policy through the use of a supporting procedure.
- 7.3. Sponsoring Department is responsible for creating and amending a supporting procedure.