



**City of
Lloydminster**

Policy

Policy Title:	Privacy Policy	Policy Number:	135-01
Date of Adoption:	April 16, 2018	Motion Number:	94-2018
Date of Amendment:		Motion Number:	
Supporting Department:	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	Gather, acquire, receive or obtain 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	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 the <i>Local Government Elections Act, 2015 (Saskatchewan)</i> as a Member of Council.
Employee	Any person employed by the City, which includes and is not limited to: any person employed in the capacity of a full-time, part-time, casual, seasonal, summer, contract employee, or volunteer of the City.
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	Any information about an individual. This includes, without limitation, names, telephone numbers and addresses, age, sex, sexual orientation , marital status, family status, race, nationality, ancestry, or place of origin, colour, religious or political beliefs, fingerprints, other biometric information, information about health and health care history, education, financial activities, employment or criminal history, personal opinions or views of the individual, views or opinions of another person about the individual , and tax information.
Record	Information in any form and includes notes, images, audiovisual recordings, letters, papers and any other information that is written, in print and/or photographed.
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 and Members of Council.

5. Personal Information:

- 5.1. Management shall ensure that Employees receive appropriate privacy training as it relates to each position that comes in contact with Personal Information.
- 5.2. Employees and Members of Council 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. The City of Lloydminster shall make all reasonable efforts to ensure that the Employees and Members of Council understand the purpose for which Personal Information is being collected, used or disclosed and the need for this Collection, use or Disclosure.

6. Collection of Personal Information:

- 6.1. The City of Lloydminster Collects and maintains different types of Personal Information concerning Employees, including but not limited to the following:
 - 6.1.1. resumes and job applications;
 - 6.1.2. references and other checks including, but not limited to driver's abstract checks and criminal record checks;
 - 6.1.3. screening and interview notes;
 - 6.1.4. photographs and video;
 - 6.1.5. letters offering and accepting employment;
 - 6.1.6. mandatory policy acknowledgment sign-off sheets;
 - 6.1.7. payroll information including, but not limited to social insurance number, pay cheque deposit information, and RRSP/Pension information;
 - 6.1.8. wage and benefit information;
 - 6.1.9. forms relating to the application for, or in respect of changes to, Employee health and welfare benefits including short and long-term disability, medical and dental care, modified work offers or Employee leave, and;
 - 6.1.10. beneficiary and emergency contact information

- 6.2. 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.
- 6.3. 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.

7. Purpose of Collecting Employee Personal Information:

7.1. The City of Lloydminster uses, collects, and discloses Personal Information about Employees for business purposes including but not limited to:

- 7.1.1. establishing, managing or terminating employment;
- 7.1.2. deciding eligibility for a job offer including verification of references and qualifications;
- 7.1.3. administering pay and benefits;
- 7.1.4. processing Employee work-related claims including, but not limited to Worker's Compensation Board and insurance claims;
- 7.1.5. establishing training and/or development requirements;
- 7.1.6. conducting performance reviews and determining performance requirements;
- 7.1.7. assessing qualifications for a particular job or task;
- 7.1.8. gathering evidence for disciplinary action or termination;
- 7.1.9. establishing a contact point in the event of an emergency;
- 7.1.10. complying with applicable labour or employment laws;
- 7.1.11. compiling directories;
- 7.1.12. ensuring the security of company-held information;
- 7.1.13. other purposes as reasonably required by the City of Lloydminster.

8. Use and Disclosure of Personal Information:

- 8.1. The City shall use and disclose an individual's Personal Information only:
 - 8.1.1. for the purpose for which it was collected or for a use consistent with that purpose.
 - 8.1.2. for other purposes for which the City has the written consent from the individual; or
 - 8.1.3. for other purposes where the City is required or permitted to do so by law.

- 8.2. Personal Information may be disclosed with the written consent of the individual for specific Disclosure by completing the "Consent to Disclose Personal Information Form".
- 8.3. The City may use or disclose information without consent of the individual when:
 - 8.3.1. contacting a next of kin in the event of an emergency.
 - 8.3.2. an emergency exists that threatens an individual's life, health or security;
 - 8.3.3. the information is publicly available;
 - 8.3.4. complying with valid legal processes such as search warrants, subpoenas or court orders;
 - 8.3.5. the organization has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial, or foreign law and information is used for that investigation;
 - 8.3.6. the information is for statistical study or research;
 - 8.3.7. necessary to protect the mental or physical health or safety of any individual;
 - 8.3.8. providing a routine release of information when the information is a statutory requirement, information that is requested on a regular basis, and/or no LAFOIP exceptions apply to the Record of information.
- 8.4. Any written or verbal requests for access to information that is not part of a routine release shall be directed to the Office of the City Clerk.

9. Accuracy of Personal Information:

- 9.1. The City of Lloydminster shall make every reasonable effort to ensure its Records of an individual's Personal Information are accurate and complete.
- 9.2. The City of Lloydminster shall provide a person access to their own Personal Information subject to limited and specific legislative requirements.
- 9.3. The City of Lloydminster shall make every effort to allow a person access to their own Personal Information to verify, update and correct it.

10. Protection and Retention of Personal Information:

- 10.1. 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 not limited to:

- 10.1.1. restricting access to Personal Information that is stored in an electronic format to authorized persons by requiring login credentials;
 - 10.1.2. storing Personal Information in locations which are not generally accessible to members of the general public;
 - 10.1.3. securing the rooms and filing cabinets that contain Personal Information during those times in which an authorized person is not present.
- 10.2. Collection of Personal Information shall be done in a confidential manner to minimize the risk of disclosing sensitive Personal Information to third parties.
- 10.3. Employees are required to sign a confidentiality agreement binding them to maintaining the confidentiality of all Personal Information to which they have access.
- 10.4. All inactive Records or Personal Information no longer required will be disposed of in accordance with the "*Records Management Bylaw*".
- 10.5. 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.

11. Employee Records:

- 11.1. 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.

12. Staffing:

- 12.1. Employee Relations and the Employee's supervisor or manager shares a joint responsibility regarding the obligation to protect Personal Information.
- 12.2. Personal Information will not be disclosed to other Employees, managers, Members of Council or third parties where information has been obtained, collected or created in any of the following methods including:
 - 12.2.1. the application process;
 - 12.2.2. the screening and interview process;

- 12.2.3. reference and other checks including driver's abstract checks and criminal Record checks;
- 12.2.4. medical information provided to support a Modified Work Offer or Employee leave;
- 12.2.5. performance reviews, notwithstanding exceptions outlined in CUPE 1015 Collective Agreement;
- 12.2.6. disciplinary actions, notwithstanding exceptions outlined in CUPE 1015 Collective Agreement;
- 12.2.7. resignation and termination letters;
- 12.2.8. exit interview notes.

13. Penalty:

- 13.1. 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.
- 13.2. 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 verbal warning to dismissal with cause.
- 13.3. 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*".

14. Responsibility:

- 14.1. City Council will review and approve all policies.
- 14.2. City Administration will administer the policy through the use of a supporting procedure.
- 14.3. Sponsoring Department is responsible for creating and amending a supporting procedure.