



TOWN OF THREE HILLS

POLICY # 500

PRIVACY POLICY

Approved by Council On: **May 11, 2020**

Resolution No: **226-2020**

1. PURPOSE

- 1.1. The Town of Three Hills 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 *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, as amended.

2. AUTHORITY

- 2.1. The authority for this policy is by resolution of the Council of the Town of Three Hills.
- 2.2. The CAO is accountable and responsible for the development, evaluation, and implementation of this policy.
- 2.3. The CAO reserves the right to exercise appropriate managerial judgement to take such actions as may be necessary to achieve the purpose of this policy.

3. DEFINITIONS

- 3.1. Whenever the singular masculine gender is used in this policy, the same shall include the feminine and neutral gender whenever context requires.
- 3.2. In this policy, unless the context otherwise requires:
 - 3.2.1. "CAO" shall mean Chief Administrative Officer for the Town of Three Hills or his designate.
 - 3.2.2. "Collection" shall occur when a public body gathers, receives, or obtains personal information. This 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, electronic data entry or other such means.
 - 3.2.3. "Council" shall mean the body of elected representatives who govern the Town.
 - 3.2.4. "Disclosure" shall mean 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.

- 3.2.5. “Employee” shall mean any individual employed by the Town, along with those individuals under contract by the Town.
- 3.2.6. “FOIP” shall mean the Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25, as amended.
- 3.2.7. “Personal Information” shall mean personal information as that term is defined in the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, as amended or replaced.
- 3.2.8. “Record” shall mean any recorded information, regardless of medium or characteristics, made or received and retained by an organization in pursuance of legal obligations or in the transaction of business.
- 3.2.9. “Town” shall mean the Town of Three Hills.

4. POLICY

4.1. Scope

- 4.1.1. This policy applies to all Town officials, employees and contractors (hereinafter referred to as “Users”) whose access to or use of information and/or records and information technology resources that is provided by the Town or available through equipment owned by the Town whether or not that access is during normal working hours and whether such access is from the Town’s premises or elsewhere.

4.2. Responsibilities

- 4.2.1. The CAO, pursuant to the FOIP Act, shall be the FOIP Head for the Town, and some powers under THE FOIP Act have been delegated to the FOIP Coordinator for the Town.
- 4.2.2. The Town will define privacy standards for information control and security systems and department managers are expected to ensure that this is adhered to within their departments and consistent with this policy. These may include:
 - i. Written privacy strategies, goals, procedures, standards and guidelines for the collection, use and disclosure of Personal Information;
 - ii. Ensuring that managers, supervisors and employees receive appropriate privacy training, thereby providing adequate information to all employees with respect to their responsibilities under this policy; and

- iii. Being responsible and accountable for personal information control and security systems in their department.
- 4.2.3. Employees are expected to respect the confidentiality of Personal Information and comply with the Town's information control and security systems.
 - 4.2.4. Employees will report any suspected or actual breaches of privacy to their immediate supervisor or other Town designated authority.
 - 4.2.5. The FOIP Act 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 should be disclosed, or if the information is being collection, used or disclosed in contravention of the privacy provisions of the FOIP Act or this policy.

4.3. Privacy Code

- 4.3.1. The Town recognizes that the privacy and confidentiality of the Personal Information of all persons is important and pledges to treat the Personal Information of all persons with respect and according to the FOIP Act and Regulations.
- 4.3.2. The Town shall protect the personal information and privacy rights of its citizens and employees through compliance with privacy laws;
- 4.3.3. The Town shall support the principle of openness and transparency through commitment to providing public access to the Town held information where in compliance with privacy and access laws;
- 4.3.4. Privacy rights shall be balanced with the public's right of access to information.
- 4.3.5. The Town shall provide general information access and may charge for FOIP requests, in accordance with the fees outlined in the Town's Master Rates and Fees Bylaw, as amended, to the extent that access is not prohibited by law.
- 4.3.6. Employees are expected to familiarize themselves with and abide by this policy. This policy will be reviewed and revised as necessary at least annually by the CAO or authorized delegate.

4.4. Compliance

- 4.4.1. Employees must report suspected violations or fraudulent activities pertaining to municipal records to their immediate supervisor and/or department manager.
- 4.4.2. Suspected violations that involve criminal conduct must be reported immediately to the CAO.
- 4.4.3. Any violation of this policy may subject the employee to their loss of access

to records and use of communication and technology resources, and may result in disciplinary action being taken, up to and including dismissal from employment.

- 4.4.4. Illegal acts involving communication and technology resources may also subject the user to restitution, commencement of civil action, or criminal investigation and prosecution by police agencies and/or local, provincial and federal authorities.

5. PRIOR POLICY

- 5.1. This policy shall supersede and replace all prior policies, oral or written, regarding privacy within the Town of Three Hills.

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