## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FOIPOP)

[Organization Name] is dedicated to preserving the privacy of its workers and stakeholders, and adhering to Nova Scotia's Freedom of Information and Protection of Privacy Act (FOIPOP). The FOIPOP Act describes how [Organization Name] must collect, use, and disclose personal information. The FOIPOP Act protects the privacy of our employees by limiting how [Organization Name] manages personal information.

Collection, use and disclosure outside of the limits outlined in the FOIPOP Act is prohibited. [Organization Name] shall maintain reasonable security arrangements and procedures to protect against the unauthorized collection, use, disclosure, access or storage of employee’s personal information.

DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

‘Consent’ is obtained when it is reasonable to expect that the individual providing consent understands the nature, purpose and consequences of the collection, use or disclosure of their personal information to which they are consenting.

“Personal information” As described in Section 3(1)(i) of the FOIPOP Act, personal information is “recorded information about an identifiable individual”, including:

* the individual’s name, address or telephone number,
* the individual’s race, national or ethnic origin, colour, or religious or political beliefs or associations,
* the individual’s age, sex, sexual orientation, marital status or family status,
* an identifying number, symbol or other particular assigned to the individual,
* the individual’s fingerprints, blood type or inheritable characteristics,
* information about the individual’s health-care history, including a physical or mental disability,
* information about the individual’s educational, financial, criminal or employment history,
* anyone else’s opinions about the individual,
* the individual’s personal views or opinions, except if they are about someone else

POLICY

As permitted by law, [Organization Name] will gather the personal information of employees and/or clients directly from the employee and indirectly through its partners in order to offer the services that it is authorized to give. Only the personal information required during the employment relationship will be collected by [Organization Name].

Collection of Personal Information

Personal information will be collected only in the following circumstances:

* when it is necessary for the proper administration of [Organization Name]'s programs, services, or general operations;
* when an act of the Government of Canada or the Province of Nova Scotia expressly authorizes or requires it; or
* when it is necessary for law enforcement purposes.

Individuals within [Organization Name] who are in charge of collecting Personal Information shall describe the reason(s) for the collection either verbally or in writing. Unless circumstances indicate otherwise, employee’s personal information will be acquired directly from them.

Protection of Personal Information

[Organization Name] and its employees shall take all reasonable precautions to prevent unauthorized access, use, disclosure, or destruction of Personal Information.

Authorized Employees shall only be able to access Personal Information for the purposes mentioned in the previous section of this policy.

Personal Information shall be stored in a secure environment that only Authorized Employees have access to. This will include:

* storing Personal Information in locations that are not generally accessible to all employees and/or the general public;
* securing the rooms and/or filing cabinets containing Personal Information when an Authorized Employee or staff member is not present; and
* restricting access to Personal Information stored in an electronic format to Authorized Employees by requiring them to sign a confidentiality agreement.

Use of Personal Information

[Organization Name] may only use Personal Information for the following reasons:

* for the purpose(s) for which it was obtained or compiled, or for a purpose consistent with such;
* for a purpose permitted, authorized, or required by the Act; or
* for any other purpose with the explicit consent of the individual to whom the Personal Information pertains, or by someone duly authorized to provide such consent on that individual's behalf.

Disclosure of Personal Information

[Organization Name] shall only disclose Personal Information to Third Parties or allow it to be made public:

* for the purpose(s) for which it was gathered or compiled, or for a purpose that is consistent with such;
* for a permitted, authorized, or required purpose under the Act;
* for a purpose expressly authorized or required by the Government of Canada or the Province of Nova Scotia through legislation; or
* for any other purpose, provided that the individual to whom the Personal Information pertains, or someone duly authorized to consent on his or her behalf, has provided explicit consent for the disclosure.

Access and Correction of personal information

[Organization Name] shall make all reasonable efforts to ensure that information in its custody or control is complete and accurate for the purposes for which the Personal Information was obtained.

Under the Act, and any other enactment of the Government of Canada or the Province of Nova Scotia, individuals have the right to access their Personal Information held by [Organization Name]. It may not be necessary for individuals to submit a formal Application for Access to a Record.

It is the employee’s right to request that Personal Information in the custody or control of [Organization Name] be rectified or corrected, if necessary. [Organization Name] shall duly evaluate and confirm corrections as required.

Retention and Disposal of Personal Information

[Organization Name] shall store Personal Information according to the retention and disposition schedule determined for the type of data and the department in charge of that Personal Information. Records retention and disposition schedules are authorized and distributed in accordance with the Records Management Policy of [Organization Name].

Personal information deemed historically relevant by [Organization Name]’s retention schedule shall be kept in perpetuity; the specifics of which shall be made public upon the full implementation of the Act.

When Personal Information is no longer required for administrative, regulatory, legal, or historical purposes, it shall be deleted in the following manner:

* paper records shall be shredded, incinerated, or pulped; and
* electronic records shall be deleted in such a way that the information contained therein cannot be recovered using current technology

Outsourcing

[Organization Name] may engage in agreements with third-party persons or organizations to provide them access to Personal Information within our custody or control for specific reasons. In such agreements requiring external persons or organizations to protect all such Personal Information, this policy and the Act shall be observed.

Responsibility

The [Insert Name/Title] serves as the appointed Head, who is ultimately responsible for all decisions made on behalf of [Organization Name] following this policy and the Act.

The aforementioned shall advise management and staff on, and coordinate issues of, information freedom and privacy protection. The aforementioned is responsible for responding to all requests for information on behalf of [Organization Name], in consultation with the appropriate stakeholders, as needed. Furthermore, the aforementioned shall provide advice to management, departments and other stakeholders on concerns or issues regarding information freedom and privacy protection both within and external to the organization.

In consultation with the aforementioned, departments may select personnel to act as unit coordinators for matters pertaining to freedom of information and privacy protection.

Non-Compliance

[Organization Name] may take any of the following actions against anyone who violates the Act, other privacy laws, or this policy:

* Legal action that may result in criminal or civil proceedings; or
* Employment action that may result in discipline, up to and including termination.