

# Privacy Policy

The Office of the Information and Privacy Commissioner [OIPC] follows the rules and principles set out in the *Freedom of Information and Protection of Privacy Act [FOI/POP]*. We only collect, use and disclose the personal information that is necessary to fulfil the purposes identified below.

## Definitions

**Public body:** provincial and municipal governments; agencies, boards and commissions of provincial and municipal governments; universities; education centres; health authorities.

**Health information custodian:** regulated health professions, such as: doctors, dentists, nurses, optometrist, pharmacists, the Department of Health and Wellness, the Nova Scotia Health Authority and the IWK.

## Collection of Personal Information

### Public

- We collect basic personal contact information of applicants, complainants and third parties including name, address, phone number, fax number and email addresses.
- When conducting a review or a complaint investigation we collect evidence including records. These records may contain extensive and sensitive personal information of applicants, complainants or third parties. Information in these records can include medical history, employment history and family history among other things. In addition, parties to a matter may supply us with personal information during the course of our review or complaint investigation.
- When members of the public call to ask questions, we do not collect any personal information, we simply answer the questions asked. However, individuals may leave their name and phone number in a phone message or may send us an email so that we can contact them. If the individual requests additional information to be sent to them, we will collect the minimum amount of contact information necessary to make this happen.
- There are occasions where we recognize calls coming from the same individual multiple times (because of the facts presented or the issues raised). In such cases, we may collect the individuals name and contact information.
- We do not collect any identifying information via our website, but do collect basic contact information when you subscribe to our Listserv. For more information, see our [website privacy statement](#).

## **Employees**

- We collect home contact information, education history and employment history such as leave requests and performance management reviews. Work product information (prepared or collected) is not considered to be personal information of employees.

## **Use of Personal Information**

### **Public**

- We use personal contact information to contact and correspond with applicants, complainants and third parties for the purpose of conducting review or complaint investigations.
- We use personal contact information of applicants and complainants to evaluate case patterns, to connect related files and to engage generally in case management.
- We use personal information gathered in the course of our reviews and investigations in order to analyze whether or not a public body or health information custodian is in compliance with provincial access and privacy legislation. In the course of completing this analysis, we may use personal information gathered in mediation and informal resolution discussions with the parties and in the completion of investigation reports and review reports as necessary.
- When members of the public leave their contact information via a phone message or email, we use that contact information to respond to the call or email.
- In cases where we have collected repeat caller identifying information, we will use that information to provide a consistent response or to connect those calls to a subsequently filed review.

### **Employees**

- We use personal information to establish, maintain, manage or terminate an employment relationship between employees (including students and temporary hires), the government of Nova Scotia and this office. The Public Service Commission has the primary responsibility for the complete human resource file storage and retention; our in-house files include delegation letters, oaths of confidentiality, performance management reviews, extended leave requests and letters of expectation.

## **Disclosure of Personal Information**

### **Public**

- As part of the review process, and as required by the legislation, the OIPC provides the public body or health information custodian with a copy of the request for review or complaint form. This contains the personal information that is collected on the prescribed form.
- If an applicant provides reasons why the request for review or complaint form should not be sent, the OIPC would consider keeping it in confidence to the extent

possible for the process to work. In limited circumstances, and at the request of the applicant or third party, the OIPC may only disclose a portion of the complaint to protect the privacy of the applicant or third party.

### **Employees**

- Employee information is disclosed to the government of Nova Scotia in the course of reporting absences and leave and for performance management.

## **Retention of Personal Information**

### **Public**

- The OIPC retains personal information collected and used in the course of a review or complaint in accordance with our approved records management retention schedule.
- Contact information collected from members of the public is only retained as long as it takes to return the call. Where additional information is sent in response, it is retained in accordance with our approved records management retention schedule.
- In cases where repeat caller identity information is collected, the OIPC retains it in accordance with our approved records management retention schedule.

### **Employees**

- Employee personal information is retained in accordance with our approved records management retention schedule.

## **Disposal**

### **Public and Employees**

- Once final disposition is reached, or transitory records are no longer needed, paper records are destroyed by a professional secure record disposal company. Up until the destruction occurs, the records are kept secure as outlined below. Highly sensitive records are first cross-shred onsite and kept secure as outlined below.
- Electronic records follow the same disposition schedule and are disposed of by deletion from our systems.

## **Security of Personal Information**

### **Public**

- Our physical files related to reviews and complaints are kept in locked filing cabinets. Our main office area is controlled by a locked interior door. After hours, the exterior door is locked and alarmed. Personal information is not allowed outside of the office except in very rare circumstances, such as meeting with a party to a review – in which case it is kept with the employee and returned immediately to the office.

- Our electronic files are accessible only by staff of this office and those providing technical support. Access requires permission controlled by password. Information is stored on a secure government server, not on local drives.
- All portable devices are encrypted and we conduct regular reviews of all portable devices to ensure no personal information has been stored on them.

### **Employees**

- Our physical files related to human resources are kept in locked filing cabinets. Our main office area is controlled by a locked interior door. After hours, the exterior door is locked and alarmed.
- Our electronic employee related files are kept in a folder that restricts access to management only.

### **Access, correction and complaints**

Any person who believes his or her privacy has not been respected by someone within the OIPC and can file a complaint by contacting:

Carmen Stuart, Chief Privacy Officer  
Phone: 902-424-6982, Toll-free: 1-866-243-1564  
Email: [carmen.stuart@novascotia.ca](mailto:carmen.stuart@novascotia.ca)

Individuals may access their personal information or may request a correction of their personal information by contacting:

Carmen Stuart, Chief Information Officer  
Phone: 902-424-6982, Toll-free: 1-866-243-1564  
Email: [carmen.stuart@novascotia.ca](mailto:carmen.stuart@novascotia.ca)

While review and investigation files are not subject to *FOIPOP* (see sections 4(1)(e) and 4(1)(j)), we attempt, whenever possible, to disclose requested information, particularly to parties to a review.