Privacy Awareness Training

Non-Profit Service Providers
Co-ops

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Learning Objectives

This training will help you gain a better understanding of privacy.

You will learn about:

- The 10 Privacy Principles.
- Some of your organization's obligations under the *Personal Information Protection Act* (PIPA)
- Confidentiality.
- Safeguards to protect personal information.
- The role of the Office of the Information and Privacy Commissioner.

You will also be provided with two case studies to help reinforce your learning.

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Notes

The training is a tool to help you understand the basic information you need to know to ensure the privacy of your tenants and/or clients.

You may need to seek further detail in other materials to supplement your learning.

Links to resources are provided on the Resources slides at the end of this presentation.

Notes

Non-profit housing providers, non-profit service providers and co-ops are all subject to the *Personal Information Protection Act* (PIPA).

In this training, the three types of organizations will be referred to as ‘private sector organizations’.

Privacy Principles

The principles introduced in this training are based on the Canadian Standard Association's (CSA) Privacy Code.

The Privacy Code contains 10 Privacy Principles.

More detail about each of the principles is available on the CSA's website.

A link to the CSA's website is provided on the Resources slides at the end of this presentation.

What is PIPA?

PIPA is a statute in British Columbia that applies to organizations.

The term organization is defined in PIPA, and it includes non profit organizations.

The purpose of PIPA is to govern the collection, use and disclosure of personal information by organizations.

Privacy Principles and PIPA

Many of the principles introduced are accompanied by additional information to help you apply the principles in the context of your obligations under PIPA.

Not all obligations under PIPA are explained in this training. Make sure you are familiar with all your obligations under PIPA.

A link to PIPA is provided on the Resources slides at the end of this presentation.

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Principle 1

Be Accountable:

Assign responsibility for privacy and designate an individual(s) who is accountable.

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Principle 1: PIPA Context

Private sector organizations are required to designate one or more individuals responsible for privacy in the organization (PIPA section 4(3))

It is okay for these duties to be assigned to someone who has other duties within the organization, but the duties should be assigned to a more senior position.

Principle 2

Identify the Purpose:

Tell the person whose information you are collecting the purpose for the collection.

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Principle 2: PIPA Context

Private sector organizations are required to provide individuals notice about the purposes for the collection of their personal information. (PIPA section 10(1)(a))

If the individual asks, organizations must also provide the contact information of someone who can answer questions about the collection of the personal information. (PIPA section 10(1)(b))

Principle 3

Obtain Consent:

The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.

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Principle 3: PIPA Context

Private sector organizations are required to obtain consent for the collection, use and disclosure of personal information. (PIPA sections 6(1)(a), (b) and (c) and section 7).

Consent can be explicit or implicit (PIPA section 8).

Collection without consent is permitted in limited circumstances only (PIPA section 12).

Principle 4

Minimize collection:

Collect only what you need and nothing more.

Principle 4: PIPA Context

PIPA requires private sector organizations to collect personal information only for purposes that a reasonable person would consider appropriate in the circumstances (PIPA section 11).

Organizations should collect only what they require -- nothing more.

Principle 5

Limit Use, Disclosure and Retention

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Principle 5: PIPA Context Use, Disclosure, Retention

Private sector organizations may use, disclose and retain personal information only as permitted in PIPA (PIPA sections 14, 15, 17, 18, 19 and 35).

Principle 5: Additional Context

When private sector organizations are asked to share personal information, they must first make sure PIPA permits the disclosure, and then disclose only the minimum amount of personal information necessary.

For example, if a search warrant requires you to disclose an address, disclose only the address – nothing more.

Principle 6

Be Accurate: Make sure that personal information is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

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Principle 6: PIPA Context

Private sector organizations are required to make reasonable efforts to ensure personal information is accurate and complete, if

a) The personal information will be used to make a decision that affects the individual the information is about
b) Is likely to be disclosed to another organization (PIPA section 33).

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Principle 7

Protect information:

Put safeguards in place to protect information.

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Principle 7: PIPA Context

This requirement is stated in section 34 of PIPA.

The next four slides include further information about the safeguards required to protect personal information.

Safeguards

The measures to safeguard personal information are usually categorized as follows:

- Administrative safeguards
- Physical safeguards
- Technical safeguards

Administrative Safeguards

Develop privacy policies and procedures

Provide privacy training to employees and volunteers

Ensure confidentiality agreements are in place – for employees and contractors

Verify identity - make sure you are dealing with the right person before disclosing personal information

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Physical Safeguards

Lock your filing cabinets

Hide your files from view

Destroy files confidentially

Don’t leave files and laptops unattended in cars

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Technical Safeguards

Use strong passwords – and don't share them!

Encrypt files, hard drives and memory sticks

Securely destroy electronic data

Limit use of email – email is like a postcard

Audit access to systems

Assign unique User IDs for access to systems

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Principle 8

Be open:

Make your policies available to people who request them.

Principle 8: PIPA Context

Private sector organizations are required to:

Develop and follow policies and practices that are necessary for the organization to meet its obligations under PIPA.

Develop a process to respond to complaints.

Make the policies, practices and complaints process available upon request. (PIPA section 5)

Principle 9

Be prepared to provide access:

Upon request, an organization shall inform an individual whether or not the organization holds personal information about the individual.

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Principle 9: PIPA Context

If an individual asks for his or her file, private sector organizations are required to provide the requested information, subject to limited exceptions (PIPA sections 23 and 28).

Principle 10

Be prepared to receive complaints:

Have procedures in place to receive and respond to complaints or inquiries about your policies and practices relating to the handling of personal information.

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Principle 10: PIPA Context

Private sector organizations are required to develop a process to respond to privacy complaints (PIPA section 5).

Minimal fees may be charged for access to personal information, as long as the personal information is not employee personal information. In the case of an employee's personal information, the employer must provide this at no charge.

Next Slides

The next slides provide information related to confidentiality, cloud computing and the Office of the Information and Privacy Commissioner.

There are also two case studies to help you understand how to apply your privacy obligations.

Confidentiality

Information revealed in the context of your relationship with a tenant or client is private and must not be disclosed or revealed to others, except where the law permits or requires it -- and then only on a need to know basis.

Confidentiality

Confidentiality in oral communications:

Don’t say personal information to people who have no right to know, and don’t allow people to overhear private conversations.

Confidentiality

Confidentiality in paper records:

Manage paper and files in a way that they can't be viewed by people who have no right to know.

Confidentiality

Confidentiality in electronic records:

Give computer access only to those who need it to do their job, and provide access to the minimal amount of information required.

Cloud Computing
What is it?

Cloud computing is the word commonly used for services delivered over the Internet.

It includes things such as Dropbox, iCloud, Google Drive, gmail, social media, SurveyMonkey, etc.

Cloud Computing Risks

When you put information on the cloud, you essentially lose control over the security of the information.

In order to comply with your obligations to safeguard personal information, you must retain control over the information.

A word of advice: do not put sensitive tenant or client information on the cloud.

The Office of the Information and Privacy Commissioner (OIPC)

The OIPC provides independent oversight and enforcement of B.C.'s access and privacy laws.

Among other things, the OIPC investigates and resolves privacy complaints.

The OIPC's website includes helpful resources that can assist private sector organizations meet their obligations.

A link to the OIPC's website is provided on the Resources slides at the end of this presentation.

Case Study 1 - Scenario

It’s Friday afternoon at 3pm. The phone rings. It’s the Surrey RCMP.

They’re investigating someone who they believe is a tenant of yours.

They want you to tell them over the phone if the person is a tenant.

What do you do?

Anytime you are asked for information, make sure you are permitted in law to provide it.

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Case Study 1 – The Right Approach

Make sure the caller is who they say they are. You can do this by getting their name and number, verifying the number and calling them back.

Make sure they are conducting an investigation. You can do this by asking for a police investigation number.

Give only the information you are being asked for.

Document your actions.

Case Study 1- Key Lessons

Always make sure you are permitted to disclose information before you say anything.

Make sure you have assurance that the person you are releasing information to is who they say they are.

It’s important to exercise due diligence when dealing with personal information.

Document your actions and reasoning.

Case Study 2 – Privacy Breaches

It's Friday afternoon at 3pm. The phone rings.

It's a member of the public saying a USB memory stick containing sensitive information about your client has been found on the street.

You quickly realize that this is a privacy breach.

What do you do?

Your first action:
Contain the breach.

Ask the individual to drop off the USB, or offer to pick it up. Communicate the sensitivity of the information and ask the individual not to retain a copy.

Case Study 2 – The Right Approach

Follow the four steps in responding to Privacy Breaches:

1. Contain the breach
2. Evaluate the risks
3. Notify
4. Prevent

Case Study 2- Key Lessons

The OIPC has a comprehensive privacy breach process.

Follow it if you suspect or know of a privacy breach.

Go to www.oipc.bc.ca for the privacy breach process and other helpful information.

You may also contact BC Housing's Privacy Officer at (604) 433-1711.

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Conclusion

You have learned about:

- The 10 Privacy Principles.
- Some of your organization's obligations under PIPA.
- Confidentiality.
- Safeguards to protect personal information.
- The role of the OIPC.

Remember to review this privacy training periodically to make sure you remain aware of your obligations to protect privacy.

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Resources

BC Housing's Privacy Toolkit for Non-profits

https://www.bchousing.org/partner-services/non-profit-training-resources/privacy-toolkit

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Resources

Other

Office of the Information and Privacy Commissioner

www.oipc.bc.ca

Canadian Standards Association Privacy Code

http://www.csagroup.org/legal/privacy/