

Category: Legislative Services
Subject: Privacy Policy

Purpose

The purpose of the City of Penticton's Privacy Policy is to describe in general terms how the City collects, uses, discloses and protects personal information. The policy is a part of the City's privacy management program and is in accordance with the *Freedom of Information and Protection of Privacy Act*.

Scope

This policy applies to personal information that the City collects, uses or discloses in any form including verbal, electronic or written.

Definitions

The following definitions are used in this policy:

Act means the *Freedom of Information and Protection of Privacy Act*;

City means an employee of the City of Penticton including an elected official, volunteer or service provider;

Service provider has the same meaning as in the *Act*.

Policy Statement

This policy is established in accordance with the "City of Penticton Freedom of Information and Protection of Privacy Bylaw 2013 No. 5046". The City protects the personal information that it collects, uses and discloses in accordance with the *Act* by promoting privacy awareness and implementation of reasonable security measures to protect personal information.

1. Collection of Personal Information

The City of Penticton will collect personal information:

- a. Where collection is authorized under a statute, such as the *Community Charter* and the *Local Government Act* or is authorized under City bylaws;
- b. For the purposes of our activities, services and programs;
- c. For the purposes of planning or evaluating our activities, services and programs;
- d. For law enforcement purposes, including enforcing our bylaws;
- e. And at presentations, ceremonies, performances, sports meets, or similar events, that are open to the public where you voluntarily appear, such as public meetings and public hearings.

2. Use and Disclosure of Personal Information

The City will use and disclose your personal information only for the purpose we collected it for or for a purpose that is consistent with why we collected it in the first place.

The City will ensure that an individual from whom it collects personal information is told the purpose for collecting it, the legal authority for collecting it and the contact information of an officer or employee who can answer the individual's questions about the collection.

Please note that all information provided in open meetings of Council or its committees is considered to be public. If you provide or disclose your personal information to the City for that purpose, you are consenting to that information being available to the public, including through posting on our website or livestream. This information is considered to be part of the public record and cannot be removed or changed. However, if you satisfy us in advance that you have legitimate personal safety concerns for yourself or an immediate family member, we may allow you to submit your personal information to Council or a committee in confidence. We will not make it publicly available in that case, although the City will keep it in the Legislative Services office as part of the record.

3. Accuracy of Personal Information

The City makes every reasonable effort to ensure that personal information we use to make a decision directly affecting you is accurate and complete.

4. Access to Personal Information

Individuals can ask the City for a copy of their personal information that is in the City's custody or control by contacting the Legislative Services department. If we believe your request may involve someone else's information, or information protected under the *Act*, we may require you to make a formal request under the *Act* for access to records. The *Act* gives the City 30 business days to respond.

5. Retention and Disposal of Personal Information

Personal information used by the City to make a decision that directly affects the individual will be retained for at least one year after being used. The City keeps personal information in accordance with its record retention schedules and uses reasonable efforts to ensure that personal information is destroyed securely when the time comes.

6. Protection of Personal Information

Privacy matters to the City of Penticton. The City uses information technology measures as well as policies and practices to protect personal information. All employees are required to respect the confidentiality of personal information they receive or compile and are required to use and disclose in accordance with the *Act*.

7. Responding to Privacy Related Complaints

Complaints about City privacy related matters must be made in writing. Failing to provide sufficient information may result in the City deciding not to proceed any further with your complaint. A written response will be provided.

8. Privacy Awareness and Training

All City employees receive training on the Act and privacy generally as appropriate to their work function. Additional privacy impact assessment and information sharing training is provided to employees managing programs or activities.

9. Privacy Impact Assessments

Privacy Impact Assessments (PIAs) are conducted to determine if a proposed system, project or program or activity meets or will meet the requirements of Part 3 of the Act. A PIA will be done for any new system, project, program or activity involving personal information and for any new collection, use or disclosure of personal information. A PIA will also be conducted for common or integrated programs or activities and data-linking initiatives, as well as when significant modifications are made to existing systems, projects, programs or activities.

10. Privacy Breach Management

In accordance with the Act, the City will take all appropriate steps to notify affected individuals and report privacy breaches to the commissioner in writing.

11. Service Provider Management

Employees who prepare or manage contracts with service providers are to ensure awareness of privacy obligations and include standard privacy language when collecting, using or disclosing personal information in the custody or under the control of the City.

12. Authority to Act

The Corporate Officer is delegated the responsibility and authority for ensuring compliance with this policy and the Act.

Approval History			
Approved by Council on:	February 7, 2023	Resolution No.:	23/2023

Certified Correct:



Angie Collison, Corporate Officer