

# PRIVACY IMPACT ASSESSMENT

## I BASIC INFORMATION - New Program – Recollect garbage collection reminder

**1. Name of Organization unit.**

Department	Communications and Civic Engagement
Division	
Branch/Section	

**2. Contact Position and/or Name, Telephone Number and E-Mail Address.**

(This should be the name of the individual most qualified to respond to questions regarding the PIA).

Name, Title	Rob Gordon, Information Access and Privacy Analyst
Branch/Section	Legislative and Regulatory Services
Phone Number	250.361.0347
E-Mail	rgordon@victoria.ca

**3. Description of the Program/System/Legislation (Initiative) being assessed.**

(Please note here if the initiative does **not** collect, use or disclose personal information). If this is a change to an existing legislation, system or program, describe the current system or program and the proposed changes.

The City has partnered with Recollect provide residents with the ability to receive reminders the day before garbage day or recycling day. The City confirms that individuals who sign up for the reminder services live within city boundaries. Residents then have the option of submitting their email address, phone number, Twitter account or mobile contact number depending on which option they wish to receive reminders. Personal information is collected by the Service provider, OpenWest Systems Inc., via its widget, Recollect. The information is only used by OpenWest Systems Inc. to send reminders to residents using the service or, secondarily, to respond to inquiries from users about the City's garbage collection schedule.

		*Yes	No
<b>(a)</b>	Does this PIA involve a common or integrated program/activity (as defined in the FOIPP Act)?		X
	and		
	Is the common or integrated program/activity confirmed by the written requirements set out in the regulation?		X
<b>(b)</b>	Does this PIA involve a data-linking initiative (as defined in the FOIPP Act)?		X

**If yes, please ensure you have notified the Office of the Information and Privacy Commissioner at an early stage of development of the initiative pursuant to section 69 (5.5) of the FOIPP Act.**

**4. Purpose/Objectives of the initiative (if statutory, provide citation).**

The service is convenient for residents and helps avoid the need to keep garbage until the next collection day. It reduces the number of households with twice the normal garbage to pick up which facilitates better management of garbage collection.

**5. What are the potential impacts of this proposal?** (Include privacy impacts in this description).

The personal information is restricted to personal contact information which is not sensitive. The use of this personal information is minimal and for two purposes only (reminders and secondarily responses to inquiries). There is a potential privacy impact though because for cost efficiency (OpenWest Systems Inc. is a small company) a US Cloud Computing provider based in Dallas Texas is used.

All web traffic between residents and the Recollect application is encrypted using SSL (HTTPS).

The positive impacts are described above in question 4.

**6. Provide details of any previous PIA or other form of personal information assessment done on this initiative (in whole or in part).**

There is no previous PIA

**IF THERE IS NO PERSONAL INFORMATION INVOLVED, GO TO [X. SIGNATURES](#).**

**\*\*IMPORTANT NOTE:** The FOIPP Act defines personal information as "recorded information about an identifiable individual other than contact information." Contact information includes the name, title, telephone or facsimile number, email address etc., which enables an individual at a place of business to be contacted.

## **II DESCRIPTIVE INFORMATION**

**1. Describe the elements of personal information that will be collected, used and/or disclosed and the nature and sensitivity of the personal information.** [See note above about the definition of personal information.]

*For example: Name, home address, gender, age/birthdate, SIN, Employee#, race/national, ethnic origin.*

Home address, email address, phone number or Twitter account or mobile app contact number

**2. Provide a description (either a narrative or flow chart) of the linkages and flows of personal information collected, used and/or disclosed.**

Residents interact with a web widget on the City of Victoria's website. This widget is operated by OpenWest Systems Inc for the Recollect service. Residents' enter their street address and will be given a collection schedule and calendar feed for that address. Residents are also offered the option of subscribing to a reminder by providing an email address, phone number or Twitter account. This contact info will be stored in the Recollect system, which will periodically notify residents at their preferred time using the contact info they provided.

A resident may request help through the widget via a 'Need Help' button. Residents may request help finding their schedule or other questions. They may provide their email if they wish to be contacted about the issue. These issues may be forwarded by Recollect back to City of Victoria staff when assistance is required.

Recollect relies on the use of third party infrastructure to deliver notification email, sms, Twitter and voice messages requested by residents.

### III PERSONAL INFORMATION COLLECTION

(Section 26 and section 27 of the *Freedom of Information and Protection of Privacy Act* "FOIPP Act")

**\*\*IMPORTANT NOTE:** Recent amendments to the FOIPP Act have clarified when personal information has *not* been collected by a public body. See section 27.1 or contact the Privacy Analyst for further details.

	Yes	No	n/a
Is personal information being collected?	X		

**IF THERE IS NO PERSONAL INFORMATION BEING COLLECTED, GO TO [IV. USE OF PERSONAL INFORMATION](#)**

#### 1) Authorization for Collection:

A public body may collect personal information as authorized by one of the following provisions:

s. 26		Yes	No	n/a
(a)	Is the collection of personal information specifically authorized by, or under, an Act, other than the FOIPP Act?	X		
	<b>If yes, please specify the name of the Act and relevant section</b>			
(b)	Is the personal information being collected for law enforcement purposes?		X	
(c)	Is the personal information directly related to, and necessary for, a program or activity of the public body?		X	
(d)	Is the personal information being collected for a prescribed purpose (where there is a regulation defining that purpose)?	X		
	<b>If yes, please specify the prescribed purpose.</b>			
	Only personal contact information is being collected as per section 9(a) of the FIPPA Reg. for the specific purpose of sending residents garbage day reminders.			
	(i) Has the individual whose personal information is being collected consented, in the prescribed manner, to that collection?	X		
	<b>and</b>			
	(ii) Would a reasonable person consider that collection appropriate in the circumstances?			
(e)	Is the collection of personal information necessary for the purposes of planning or evaluating a program or activity of a public body?		X	
(f)	Is the collection of personal information necessary for the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?		X	
(g)	Is the personal information being collected by observation at a presentation, ceremony, performance, sports meet, or similar event where the individual voluntarily appears and that is open to the public?		X	
	<b>Please identify event:</b>			
(h)	Is personal identity information being collected by:			

s. 26	Yes	No	n/a
A designated provincial identity information services provider and the collection of the information is necessary to enable it to provide services under section 69.2,  or		X	
A public body from a designated provincial identity information services provider and the collection of the information is necessary to enable the public body to identify an individual for the purposes of providing a service to the individual or the provincial identity information services provider to provide services under section 69.2.		X	

**If none of the above questions has been answered "yes", your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact the Privacy Analyst.**

**2) How will the personal information be collected?**

A public body must collect personal information directly from the individual the information is about, with certain specific exceptions.

	Yes	No	n/a
Will the personal information be collected <u>directly</u> from the individual that the information is about?	X		

**IF YOU ARE ONLY COLLECTING PERSONAL INFORMATION DIRECTLY AS NOTED ABOVE, YOU WILL NOT NEED TO COMPLETE THE NEXT SECTION ON INDIRECT COLLECTION. GO TO [3. NOTIFICATION TO COLLECT INFORMATION](#).**

If the personal information has **not been collected directly** from the individual it is about, check which of the following authorizes the indirect collection:

s. 27(1)	Yes	No	n/a
<b>(a)(i)</b> Did the individual the information is about authorize another method of collection?			X
<b>(a)(ii)</b> Has indirect collection been authorized by the Information and Privacy Commissioner?			X
<b>(a)(iii)</b> Has indirect collection been authorized by another enactment?			X
<b>If yes, please specify the name of the Act and relevant section(s)</b>			
<b>(a.1)(i)</b> Is the personal information necessary for the medical treatment of an individual and it is not possible to collect the information directly from that individual?			X
<b>(a.1)(ii)</b> Is the personal information necessary for the medical treatment of an individual and it is not possible to obtain authority under (iv) for another method of collection?			X
<b>(b)</b> Is the public body collecting personal information disclosed to it by another public body under an authority within sections 33 to 36 of the FOIPP Act?			X
<b>Specify relevant section(s) or subsections that apply.</b>			

<b>s. 27(1)</b>		<b>Yes</b>	<b>No</b>	<b>n/a</b>
<b>(c)(i)</b>	Is the personal information being collected for the purpose of determining suitability for an honour or award including an honorary degree, scholarship, prize or bursary?			X
<b>(c)(ii)</b>	Is the personal information being collected for the purpose of a proceeding before a court or a judicial or quasi-judicial tribunal?			X
<b>(c)(iii)</b>	Is the personal information being collected for the purpose of collecting a debt or fine or making a payment?			X
<b>(c)(iv)</b>	Is the personal information being collected for the purpose of law enforcement?			X
<b>(c)(v)</b>	Is the personal information being collected to reduce the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?			X
<b>(d)</b>	Is the personal information being transferred to the public body from another public body in accordance with section 27.1?			X
<b>(e)</b>	Is the personal information being collected necessary for delivering a common or integrated program or activity?			X
<b>(f)</b>	Is the personal information about an employee, other than a service provider, and the collection of the information is necessary for the purposes of managing or terminating an employment relationship between a public body and the employee?			X
<b>(g)</b>	Is the information personal identity information that is collected by the designated provincial identity information service that is necessary to provide services under section 69.2?			X
	<b>Additional details as required (e.g., explanation of method of collection)</b>			

***If none of the above authorities have been checked, your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact the Privacy Analyst.***

### **3) Notification to collect information**

A public body must ensure that an individual from whom it collects personal information is notified of the collection as outlined below.

<b>27(2)</b>		<b>Yes</b>	<b>No</b>	<b>n/a</b>
	Has the individual from whom personal information is being collected, been informed of:			
	(a) the purpose for collection?	X		
	(b) the legal authority for collection?	X		
	(c) the contact information of the person who can answer questions regarding the collection?	X		

27(2)	Yes	No	n/a
<p><b>Additional details as required (e.g., method of notification)</b></p> <p>By signing up for a reminder you are confirming that you have read and understood our Privacy Policy and User Agreement.</p> <p>The best you can do is ask people to confirm that they have read it. You can't ask for agreement because the policy or agreement may not comply with FIPPA. Also Privacy policies and agreement are not required by FIPPA. They are just nice to have. FIPPA requires we comply with section 27(2) above. Once the language I provided is on the website we are in compliance.</p>			

**Notification is not required if the answer is “yes” to any of the following:**

27(3)	Yes	No	n/a
(a)		X	
(b)			
		X	
<b>or</b>			
(b)		X	
(c)			
		X	
(d)			
		X	
<b>27 (4)</b>			
		X	
<b>Additional details as required</b>			

***If you have not provided the required notification as outlined above, please contact the Privacy Analyst.***

**IV USE OF PERSONAL INFORMATION - (Section 32 of the FOIPP Act)**

	Yes	No	n/a
Is personal information being used?	X		

**IF THERE IS NO PERSONAL INFORMATION BEING USED, GO TO [V. DISCLOSURE OF PERSONAL INFORMATION](#)**

***Under the FOIPP Act, a public body may use personal information in its custody or under its control only for certain specified purposes as outlined below.***

The public body **must** check one or more of the authorities listed below:

s.32		Yes	No	n/a
(a)	Has the individual the personal information is about consented to the use? (Note: Supporting documentation must be on file.)	X		
(b)	Will the information be used only for the purpose for which it was obtained or compiled or for a use consistent with the original purposes?	X		
<b>Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use.</b>				
(c)	If the personal information was disclosed to the public body by another public body under an authority within sections 33 to 36, is the information being used for that same purpose?		X	
<b>Specify subsection(s) being applied</b>				

***If you have not checked one of the above, you do not have the authority to use the information. If you have any questions or require clarification please contact the Privacy Analyst.***

**V DISCLOSURE OF PERSONAL INFORMATION**

(Section 33, section 33.1, section 33.2, section 33.3, section 34, section 35 and section 36 of the FOIPP Act)

	Yes	No	n/a
Is personal information being disclosed?		X	

**2) Systematic or Repetitious Disclosure/Exchanges?**

		Yes	No	n/a
i.	Do the disclosures of personal information under section 33.2 occur on a regular basis?			X
ii.	Has an Information Sharing Agreement been completed for these disclosures/exchanges?			X

		Yes	No	n/a
iii.	Has information related to the Information Sharing Agreement(s) been entered into the <b>Personal Information Directory</b> ?			X

**Personal information exchanges within a public body do not normally require an Information Sharing Agreement (ISA) if they are for a consistent purpose as defined under section 33.2(a) of the Act or are necessary for the performance of an employee of the public body under section 33.2(c). However, depending on the nature and sensitivity of the personal information exchanged, the public body might choose to prepare an ISA or similar written statement of understanding.**

### 3) Research or Statistical Purposes (Section 35)

	Yes	No	n/a
Has a researcher requested access to personal information in an identifiable form for research purposes?		X	

**If “yes”, a research agreement that conforms to the criteria established in section 35(d) must be in place. Contact the Privacy Analyst for assistance.**

***Please note:* Research using personal information may only be conducted if it meets all of the terms of section 35.**

### 4) Archival or Historical Purposes (Section 36)

The archives of the government of British Columbia, the archives of a public body, or a board or a francophone education authority (as defined in the [School Act](#)) may disclose personal information in its custody or under its control to be disclosed for archival or historical purposes as authorized by section 36.

Please check the authorization(s) for disclosure listed below.

		Yes	No	n/a
(a)	The disclosure would not be an unreasonable invasion of personal privacy under section 22			X
(b)	The disclosure is for historical research and is in accordance with section 35 (research agreements)			X
(c)	The information is about someone who has been dead for 20 or more years			X
(d)	The information is in a record that has been in existence for 100 or more years			X

***If you have not answered “yes” to any of the above authorizations for disclosure you do not have the authority to disclose personal information. If you have any questions or require clarification, please contact Privacy Analyst for assistance.***



**VI ACCURACY AND CORRECTION OF PERSONAL INFORMATION**  
(Section 28 and section 29 of the FOIPP Act)

If an individual’s personal information will be used by a public body to make a decision that directly affects the individual, the public body must make every reasonable effort to ensure that the information is accurate and complete. An individual must also have the ability to access, or have corrected or annotated, their personal information for a period of one year after a decision has been made based upon the personal information.

		Yes	No	n/a
1.	Are there procedures in place to enable an individual to request/review a copy of their own personal information?	X		
2.	Are there procedures in place to correct or annotate an individual's personal information if requested, including what source was used to update the file?	X		
3.	If personal information is corrected, are there procedures in place to notify other holders of this information?			X
<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>				
	Policy/procedure:	Resident Requests to change their Contact Info		
	Contact person:	Luke Closs		
	Phone number:	1-888-291-0604 ext 200		
<b>Additional details as required</b>				
Residents’ information is updated or deleted at their request. Also, the accuracy of personal information is confirmed each time residents receive their reminders. Undeliverable email messages and phone calls that cannot be completed are other methods of maintaining to keep an accurate subscription list.				

*If any of the questions above have been answered "no", please contact the Privacy Analyst for further clarification.*

**VII SECURITY AND STORAGE FOR THE PROTECTION OF PERSONAL INFORMATION**  
(Sections 30 and 30.1 of the FOIPP Act)

**Note:** For PIAs related to new or existing systems, this section should be completed by the Information Technology department responsible for systems maintenance and security, and signed off by this branch, in the [Signatures](#) section.

For PIAs that do not involve systems initiatives, this section should be completed by the program area completing the PIA. In this case, the signature of the systems representative is not required.

Section 30 of the Act requires a public body to protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

		Yes	No	n/a
1.	Is there reasonable technical security in place to protect against unauthorized access or disclosure?	X		
2.	Is there reasonable physical security in place to protect against unauthorized access or disclosure?	X		
3.	Are there branch policies and procedures in place for the security of personal information during routine collection, use and disclosure of the information?	X		
<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>				
	Policy/procedure:			
	Contact person:	Luke Closs		
	Phone number:	1-888-291-0604 ext 200		
<b>Additional details as required</b>				
4.	Have user access profiles been assigned on a need-to-know basis?	X		
5.	Do controls and procedures exist for the authority to add, change or delete personal information?	X		
6.	Does your system security include an <b>ongoing</b> audit process that can track use of the system (e.g., when and who accessed and updated the system)?	X		
<b>Please explain the audit process and indicate how frequently audits are undertaken and under what circumstances</b>				
7.	Does the audit identify inappropriate accesses to the system?	X		
<b>Additional details</b>				
All changes to resident or customer data as well as all communications are logged inside the Recollect service. These logs are regularly consulted to examine times and methods of communicating with residents, in the course of answering their questions about the service.				
In addition, key changes made by Recollect Administrators trigger email notifications to Recollect staff. These email notifications are monitored for appropriate use of the system.				

***If any of the questions above have been answered "no", please contact you're the Privacy Analyst.***

**Section 30.1 requires a public body to ensure that personal information in its custody or under its control is stored only in Canada and accessed only in Canada unless the individual the information is about has consented or the disclosure is otherwise allowable under the Act.**

		Yes	No	n/a
	Will the information be stored or accessed only in Canada?		X	

**Personal information in a public body's custody or under its control must be stored and accessed only in Canada, unless one of the following applies:**

		Yes	No	n/a
(a)	Has the individual the personal information is about identified it and consented, in the prescribed manner, to it being stored in or accessed from another jurisdiction?	X		
	<b>Please explain</b> Language is being added to the City webpage that residents use to subscribe to the garbage collection reminder service. Existing subscribers will be advised in an upcoming collection reminder that their			
(b)	Will the personal information be stored in or accessed from another jurisdiction for the purpose of a disclosure that is authorized under the <i>Freedom of Information and Protection of Privacy Act</i> ?	X		
	<b>Please explain</b> Please see recommendations below			
(c)	Will the personal information be disclosed under section 33.1(1)(i.1)?		X	
	<b>Please explain</b>			

***If you have not answered "yes" to any of the above authorizations for storage or access of personal information outside Canada or if you require clarification, please contact the Privacy Analyst.***

## VIII RETENTION OF PERSONAL INFORMATION - (Section 31 of the FOIPP Act)

**If a public body uses an individual's personal information to make a decision that directly affects the individual, the public body must retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.**

		Yes	No	n/a
1.	Do you have an approved records retention and disposition schedule?	X		
2.	Is there a records retention schedule to ensure information used to make a decision that directly affects an individual is retained for at least one year after use?			X

***If you answered "no" to the above questions, your procedures may need to be revised. Please contact the Privacy Analyst.***

**Recommendations:**

1. The contract with OpenWest Systems Inc. is up for renewal on December 3, 2013. These privacy requirements will be added to the new contract:
  - a) Immediate notification that a privacy breach occurred.
  - b) That OpenWest Systems Inc. is subject to FIPPA as though it were a public body.
  - c) That OpenWest Systems Inc. must advise us prior to changing its service provider.
  - d) That the personal information OpenWest Systems Inc. collects on the City's behalf cannot be used or disclosed for any other purposes.
  - e) That termination of the contract requires OpenWest Systems Inc. to confirm in writing that the personal information has been destroyed and cannot be retrieved by OpenWest Systems Inc. or its service provider.

Completed September 30, 2013

2. That the City webpage containing the Recollect widget be updated to advise subscribers that their personal contact information they provide will be stored in the US.
3. That existing subscribers be advised that their personal contact information is being stored in the US and remind them of they can unsubscribe if they wish to.

X SIGNATURES

PUBLIC BODY APPROVAL:

Rob Gordon



10/01/2013

Information Access and Privacy Analyst

Signature

Date

Director, Communications & Civic  
Engagement



Signature

Date

Manager, Administration, Legislative  
and Regulatory Services Department

Signature

Date

**X SIGNATURES**

**PUBLIC BODY APPROVAL:**

Rob Gordon



10/01/2013

Information Access and Privacy Analyst

Signature

Date

Director, Communications & Civic  
Engagement

Signature

Date

Sheryl Masters



10/01/2013

Manager, Administration, Legislative  
and Regulatory Services Department

Signature

Date