

EDMONTON

ADMINISTRATIVE PROCEDURE



TITLE

PRIVACY BREACH

NUMBER

A1445

DEPARTMENT

OFFICE OF THE CITY MANAGER

DELEGATED AUTHORITY

FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT (FOIP) S. 85

CONTACT

CORPORATE FOIP ANALYST 496-8159

DEFINITIONS

DATE

MAY 24, 2007

Breach

Personal Information Involved

Low Level Breach

- Basic personal information such as name, picture, date of birth, or salary that the release of which, while causing annoyance and inconvenience, is unlikely to result in significant lasting harm
- Involves City employees and the release of personal information occurs internally (within the City of Edmonton only)
- A release of personal information of a non-employee or an external breach moves the breach level to medium

Medium Level Breach

- Sensitive personal information including, but not limited to, personnel records, minor health information or financial records that may result in significant harm – e.g. a page from a social worker's file or Human Resource file

High Level Breach

- Comprehensive, detailed personal information such as banking records, social insurance number, payroll information, detailed health information, family information etc.
- Usually typified by the release of a significant amount of personal information or involves a large number of individuals

City – The City of Edmonton as defined in Bylaw 12100, Freedom of Information and Protection of Privacy Bylaw.

Employee – Includes all persons employed by the City including those employed on a personal services contract and any person who performs a service for the public body as an appointee, volunteer or student or under a contract or agency relationship with the City.

AS TO FORM:

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FOIP – The *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25.

Personal Information – Is defined in s.1(n) of FOIP and is recorded information about an identifiable individual, including the individual's name, home or business address or home or business telephone number, the individual's race, national or ethnic origin, religious or political beliefs or associations, the individual's age, sex, marital or family status, information about the individual's educational, financial, employment or criminal history, anyone else's opinions about the individual, etc. For a complete list, see s.1 (n) of FOIP.

Public Body – Is defined in s. 1(p) of FOIP and includes the City of Edmonton.

Privacy Breach – Occurs when personal information is collected, retained, used or disclosed in ways that are contrary to the provision of the FOIP Act. A common breach of personal privacy is the unauthorized disclosure of personal information, contrary to section 40 of the FOIP Act.

PROCEDURES AND GUIDELINES

When a privacy breach has been discovered, immediate action should be taken.

Employees are expected to report a privacy breach to their supervisors when it is first discovered.

Supervisors will confirm that a breach has occurred and will fill in the Privacy Breach Report Form and provide a copy to the Corporate FOIP Analyst. The level of seriousness (low, medium or high) of the breach will be determined by the Supervisor, the Corporate FOIP Analyst and the Departmental FOIP Coordinator.

Supervisors are responsible for preventing further breaches of the information within 24 hours of notification, including retrieval of records from an unauthorized recipient.

In the case of medium and high level breaches, Supervisors will notify any individuals affected and the FOIP Manager.

The FOIP Manager will determine when the City Manager needs to be notified and will make the decision whether or not to notify the individuals affected by a low level breach.

The FOIP Manager is the primary contact with and will notify the Office of the Information and Privacy Commissioner of a privacy breach when necessary.

In the event of a high level breach, the FOIP Manager will lead the official investigation.