



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## HUMAN RESOURCE POLICY

### **2.0 IPC EXPECTATIONS** **2.05 PRIVACY GUIDELINES POLICY**

#### **Purpose**

To protect the privacy and security of employee personal information (PI) and personal health information (PHI) which is in the possession/custody or control of the Information and Privacy Commissioner (IPC). These guidelines govern the collection, use, and disclosure and protection of employees' PI and PHI.

For the purposes of these guidelines, PI and PHI includes information in any form that is reasonably required by the IPC for the purpose of establishing, managing, or terminating an employment relationship.

#### **Application**

This policy applies to all employees of the IPC.

#### **Privacy Principles**

The IPC shall limit the collection of PI and PHI to that which is necessary for the purposes identified by the organization.

Access to PI or PHI will be limited to those that have a specific *need to know*; that is, access to the information must be necessary for the conduct of one's official duties.

#### **Definitions**

**Access** is the right of an individual (or his or her lawfully authorized representative) to view or obtain copies of records in the possession or control of the IPC including his/her PI/PHI.

**Collection** is defined as to gather, obtain access to, acquire, receive or obtain PI from any source by any means.

**Confidentiality** is the protection of PI once obtained against improper or unauthorized use or disclosure. This is just one aspect of privacy and is not synonymous with “privacy”.

**Disclosure** is sharing of PI with a separate entity in possession or control of that record/information. Discretion must be exercised mindful of the principle to disclose the least amount of PI necessary for the purpose.

**Personal Information (PI)** is information about an identifiable individual, inherently personal in nature.

**Personal health information (PHI)** is information about an identifiable individual’s physical or mental health and/or information gathered in the course of providing or pertaining to health services to an IPC employee.

**Security/Safeguard** refers to steps taken to protect PI or PHI from unauthorized use or disclosure.

**Use** indicates the internal utilization of PI by the IPC and includes sharing of PI in such a way that it remains under the control of the IPC.

All other applicable definitions within these guidelines shall be as outlined in *The Freedom of Information and Protection of Privacy Act* (FOIP) and Regulations and *The Health Information and Privacy Act* (HIPA).

Personal Information (PI) includes, but is not limited to:

- An employee’s race, creed, religion, color, sex, gender identity, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual.
- information that relates to the education or employment history of an employee (e.g. resume) or the criminal history of an employee (please see CRC policy for further details);
- Information relating to financial transactions in which an employee has been involved; ( e.g. information that was obtained or received for the purposes of garnishing of wages);
- the personal opinions or views of the individual except where they are about another individual;

- the views or opinions of another individual with respect to the individual (e.g. letters of reference and reference checks, written opinions, evaluations, or comments about an employee's performance, documented disciplinary measures);
- information related to outside employment provided through "Request for Outside Employment" process (please see Conflict of Interest policy for further details);
- PI about an employee held on an employee personnel file;
- the home address and home telephone number, Social Insurance Number, health services number;
- correspondence sent to the IPC by an employee that is implicitly or explicitly of a private or confidential nature, and replies to the correspondence that would reveal the content of the original correspondence, except where the correspondence contains the views or opinions of an employee with respect to another employee;
- information that was obtained on a tax return or gathered for the purposes of collecting a tax;
- information that describes an individual's finances, assets, liabilities, net worth, bank balance, financial history or activities or credit worthiness; or
- the name of the individual where it appears with other PI that relates to the individual; or the disclosure of the name itself would reveal PI about the individual.

Personal Health Information (PHI) Includes:

- Information with respect to the physical or mental health of the individual;
- Information with respect to any health services the IPC is aware was provided to the individual;
- Information about an individual that is collected for the purpose of registering the individual for the provision of health services, including the individual's health service number.

Personal Information (PI) does not include information that discloses:

- the classification, salary and discretionary benefits or employment responsibilities for an individual who is or was an employee of the IPC;
- the personal opinions or views of an employee given in the course of employment by the IPC, other than personal opinions or views with respect to another employee;
- financial or other details of a contract for personal services;
- details of a discretionary benefit of a financial nature granted to an individual by the IPC; or
- business expenses incurred by an individual at the expense of the IPC.

## **Policy**

All employees shall comply with confidentiality provisions in *The Freedom of Information and Protection of Privacy Act, 1992*, *The Local Authority Freedom of Information and Protection of Privacy Act*, and *The Health Information and Protection Act, 2003* and shall keep all PI/PHI regarding employees and the Commissioner confidential.

**Note:** for more information please IPC Appendix A for Policy 2.05 Privacy Guidelines.

## **Authority**

*The Freedom of Information and Protection of Privacy Act*, section 46

*The Local Authority Freedom of Information and Protection of Privacy Act*, section 22

*The Health information and Protection Act, 2003*, section 54

## **Influencing Sources**

*The Archives Act, 2004*

The Legislative Assembly Service Human Resource Policy 2.5

IPC Policy 2.04 Information and Technology Resources

IPC Policy 2.01 Standard of Conduct

IPC Appendix A for Policy 2.05 Privacy Guidelines