

## PRIVACY MANAGEMENT ROLES AND RESPONSIBILITIES POLICY

**DM Approval:**

**Effective Date: January 1, 2015**

### GENERAL INFORMATION

The purpose of the *Access to Information and Protection of Privacy Act (ATIPP Act)* is to make public bodies more accountable to the public and to protect personal privacy by preventing the unauthorized collection, use, and disclosure of personal information by public bodies.

G.A.M Policy 2.24 ('Access to Information and Protection of Privacy Roles and Responsibilities') sets out the government's responsibilities arising from the *ATIPP Act*, and promotes the adoption of consistent practices regarding the interpretation and application of the *ATIPP Act*.

Under the policy, the Government of Yukon recognizes the benefit of openness and accountability and of having all departments adopt reasonably consistent practices regarding the interpretation and application of the *ATIPP Act*.

### PURPOSE

The purpose of this policy is to clearly identify the roles and responsibilities of Yukon Education staff in collecting, using, and disposing of personal information and in effectively managing Yukon Education's responsibilities under Part 3 of the *ATIPP Act* ('Protection of Privacy').

### DEFINITIONS

'Personal Information', as defined under the *ATIPP Act*, means recorded information about an identifiable individual including:

- the individual's name, address, or telephone number;
- the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations;
- the individual's age, sex, sexual orientation, marital status, or family status;
- an identifying number, symbol, or other particular assigned to the individual;
- the individual's fingerprints, blood type, or inheritable characteristics;

- information about the individual's health care history, including a physical or mental disability;
- information about the individual's educational, financial, criminal, or employment history;
- anyone else's opinions about the individual; and
- the individual's personal views or opinions, except if they are about someone else.

## **POLICY STATEMENT**

Yukon Education is committed to a planned and integrated approach to privacy management within the Yukon government's broader privacy management regime. Yukon Education employees are required to perform their job duties in accordance with all legislative, corporate, and departmental requirements.

Yukon Education will establish and maintain an effective framework for the review of formal and informal practices and procedures used by work units within Yukon Education to collect, manage, and disclose personal information.

Yukon Education will also ensure that appropriate privacy management policies and guidelines are in place within the department. These policies and guidelines will direct privacy management activities within Yukon Education.

Yukon Education will further ensure that privacy impact assessments are carried out before a new system or program or a significant system or program enhancement involving the collection, storage, or use of personal information is implemented within Yukon Education.

## **ROLES AND RESPONSIBILITIES**

The Deputy Minister of Yukon Education is responsible and accountable for ensuring that Yukon Education staff are aware of and meet their responsibilities under the *ATIPP Act* and Yukon education's privacy management policies and guidelines, and for ensuring that sufficient resources and support are available to meet those responsibilities.

The Director of Policy, Planning and Evaluation is responsible for overseeing Yukon Education's compliance with the requirements of the *ATIPP Act*; and for directing the development and implementation of Yukon Education's privacy management policies, guidelines, and other activities.

The Legislative Support and ATIPP Coordinator is responsible for coordinating Yukon Education's responses to requests made under the *ATIPP Act* and for providing assistance in the development and implementation of Yukon Education's privacy management policies, guidelines, and other activities.

Managers and supervisors are responsible for ensuring that privacy management requirements are followed in the collection, use, disclosure, and disposal of personal information within their program area(s), in accordance with the requirements of the *ATIPP Act* and Yukon Education's privacy management policies and guidelines.

All Yukon Education staff are responsible for understanding and fulfilling the privacy management requirements and responsibilities that relate to their job duties.

Contractors working for Yukon Education who collect or use personal information on behalf of Yukon Education are responsible for understanding and fulfilling Yukon Education's privacy management requirements and responsibilities.

## **APPLICATION**

This policy applies to all staff of Yukon Education.

## **EXCEPTIONAL CIRCUMSTANCES**

In situations where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would result in an unfair or an unintended result, the decision may be based on the individual merits and justice of the situation. Such a decision will be considered for that specific case only and will not be precedent setting.

## **EFFECTIVE DATE**

This policy is effective January 1, 2015.

## **LEGISLATIVE AND POLICY REFERENCES**

Access to Information and Protection of Privacy Act, Part 3.

G.A.M. Policy 2.24 'Access to Information and Protection of Privacy Roles and Responsibilities'.

## **HISTORY**

Privacy Management Roles and Responsibilities Policy, effective January 1, 2015.