

***Standardizing Privacy
Compliance in Newfoundland
and Labrador***

Overview

- *Access to Information and Protection of Privacy Act (ATIPP Act)*
 - Office of the ATIPP Coordinator – Privacy Team
 - Bell Privacy Centre of Excellence hired to develop an integrated privacy management framework
 - Roll-out
 - Implementation
 - Lessons Learned
 - Conclusion
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ATIPP Act

- *Access to Information and Protection of Privacy Act (ATIPP Act)*
 - Access to Information provisions proclaimed on January 17, 2005
 - Privacy provisions - delayed proclamation
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Role of the Privacy Team

- Collaborate, advise and assist with overall compliance of the ATIPP Act
 - Deliver Privacy Tools
 - Yearly Privacy Checklists
 - Project Checklists (Preliminary PIAs)
 - Privacy Impact Assessments (PIAs)
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Privacy Tools

Annual Privacy Checklist

Annual Privacy Checklist

- Identifies privacy risk factors for a division or project
 - Done yearly
 - Requires little or no privacy expertise
 - Helps divisions identify short term and long term solutions
 - Based on legislative requirements
 - Used to report privacy compliance to Executive
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Checklist Summary

- Assists in developing a plan to become more compliant in identified risk areas:
 - Privacy Analyst's assist public bodies to identify strategies, such as: locking cabinets, putting away private documents when you leave your desk, logging out of your PC when you step out of the office
 - Other areas may require development of policy and procedures
 - Raises awareness of privacy within government departments
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Preliminary Privacy Impact Assessment (PPIA)

Preliminary PIA

- Preliminary PIA
 - Compliance based
 - Helps determine if a full PIA is required
 - Similar to Annual Checklist
 - Identifies privacy risk factors at an early stage in project development
 - Required for all new and significantly redesigned collections, uses or disclosure of personal information
 - Requires little or no privacy expertise
 - Based on legislative requirements
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PPIA Summary

- All PPIAs are completed internal to the Government of NL
 - Most PPIAs address privacy risks and do not require a full PIA
 - This tool increases awareness of privacy and enhances the culture of privacy within the Government of NL
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Privacy Impact Assessment *(PIA)*

When is a PIA Required?

- When a PPIA indicates that a full PIA is warranted
 - PPIA does not sufficiently provide enough information
 - PPIA cannot mitigate the risks to privacy
 - Project is vast in scope
 - A large amount or highly sensitive personal information will be collected, used and disclosed
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PIA Summary

- Team Collaboration
 - Project Manager (OCIO)
 - Project Sponsor (Department)
 - IM Analyst
 - Senior Privacy Analyst
 - Etc...
 - Rarely outsourced – discretion left to ATIPP Office and OCIO
 - Included as a key exercise in project approval
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Conclusion

Lessons Learned – Annual Privacy Checklist

- Self-reporting on privacy compliance can cause difficulties
 - High scores
 - Misinterpreting terms
 - The tool itself must be analyzed by a privacy professional
 - Privacy Analysis Document (PAD)
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Lessons Learned – Preliminary Privacy Impact Assessment

- Roles and responsibilities were not clear for PPIA/PIA protocol (on paper vs. in practice)
 - Determining ownership of the tool was difficult (OCIO or Office of the ATIPP Coordinator?)
 - The score itself cannot be the only factor in determining whether a full PIA is warranted
 - Recommendations from the PPIA
 - Who? What? Where? When? Why How?
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Lessons Learned – Privacy Impact Assessments

- Role of consultants
 - Minimized and enforced by policy
 - General roles and responsibilities
 - PIA protocol
 - Training PIA team to play an active role
 - Including all relevant stakeholders
 - Timelines
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Final Points

- This approach has been highly beneficial for NL
 - Increased the culture of privacy and general privacy awareness dramatically in nine months
 - Dedication important for uptake and implementation
 - Many ‘lessons learned’
 - Has built an internal capacity for assessing compliance to the ATIPP Act
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Questions/Comments??

