



**Ministry of
Highways and
Infrastructure**

**PRIVACY
POLICY**

Recommended: Original Signed By
**George Stamatinos, Assistant Deputy
Minister Planning and Policy Division**

Dated: N o v e m b e r , 2013

Approved: Original Signed By
**Nithi Govindasamy Deputy Minister
Ministry of Highways and Infrastructure**

Dated: N o v e m b e r , 2013



POLICY STATEMENT:

This policy applies to all personal information in the custody or control of the Ministry of Highways and Infrastructure (MHI) and the protection of privacy in its entirety. The ministry is committed to protecting the privacy of all personal information it collects, uses, retains and discloses in carrying out its mandate of optimizing the role of transportation as it relates to the social and economic development of Saskatchewan. It recognizes the rights of individuals to be clearly notified as to the reasons for collecting personal information, to have the collection limited to specific purposes and to have access to their personal information (subject to legislated exceptions) held by the ministry. Personal information provided to the ministry will only be used or disclosed for the purposes for which it was collected, or in limited circumstances, in accordance with *The Freedom of Information and Protection of Privacy Act* (the Act).

APPLICABILITY:

This policy applies to all employees of the Ministry of Highways and Infrastructure.

PERSONAL INFORMATION:

The personal information that MHI gathers is dependent on which program the personal information is needed. Personal information is defined in the Act under Section 24(1)(2) and (3) as information about an identifiable individual that is recorded in any form and includes (but is not limited to):

- information that relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual;
- information that relates to the education, criminal or employment history of the individual;
- information that relates to financial transactions involving the individual;
- the home or business address, telephone number or fingerprints;
- personal views and opinions of the individual unless they are about another individual;
- the views or opinions of another individual with respect to the individual.



If the information identifies an individual, is not publicly available and identifies something about that person, it is likely personal information. The complete definition of what personal information includes or does not include can be found in the Act.

PRIVACY PRINCIPLES:

MHI's personal information privacy policy includes the 11 principles identified in the government's *Overarching Personal Information Privacy Framework for Executive Government*.

Principle 1 – Accountability for Personal Information

The Ministry of Highways and Infrastructure (MHI) is responsible for personal information under its control and has designated a Privacy Officer who is accountable for MHI's compliance with the Act.

Principle 2 – Purpose for Collecting Personal Information

MHI shall identify the purposes for collecting personal information, at or before the time the information is collected, unless the personal information is required by law.

Principle 3 – Obtaining Consent To Collect, Use and Disclose Personal Information

MHI requires the knowledge and consent of the individual for the collection, use, or disclosure of personal information, unless required by law. In some cases, implied consent is inferred dependent on the nature of the dealings and in meeting the customer's or Ministry's needs. An individual may withhold or withdraw consent to collect, use or disclose personal information. Depending on the circumstances of the withdrawal of consent, MHI's ability to provide the service requested may be impacted.

Principle 4 – Limiting Collection of Personal Information

MHI shall limit the collection of personal information to that which it has legislative authority to do so as per Section 25 of the Act and that which is necessary for the purposes identified by MHI. The collection shall not be used for a secondary purpose without obtaining individual consent.

Principle 5 – Limiting Use and Disclosure of Personal Information

MHI will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. No manager or employee, other than those who need to



access the personal information to perform an accepted function shall access, use, disclose or otherwise view the personal information collected for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

Principle 6 – Retention of Personal Information

MHI shall retain personal information only as long as necessary for the fulfillment of the primary purpose for collection or as required by law. Once the retention period is reached, records containing personal information are disposed of in a safe and secure manner to ensure no unintentional disclosures of the personal information contained within the records.

Principle 7 – Ensuring Accuracy of Personal Information

MHI will take all reasonable steps to ensure personal information is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used. Upon request, an individual may review the personal information collected by MHI and, if inaccurate, request that the information be corrected.

Upon receiving a request to amend personal information, MHI will review the request and will:

- amend the personal information as requested; or add a note to the record indicating that a request for an amendment was made and noting why the amendment was not made.
- where practical, inform others to whom the personal information had been previously disclosed, if it is thought that the personal information is or will still be used by the other body.

Principle 8 – Security Safeguards

MHI protects personal information with security safeguards appropriate to the sensitivity of the information.

Principle 9 – Openness of Privacy Policy and Practices

MHI shall make readily available to individuals specific information about its policies and practices relating to the management of personal information. This policy will be made available to the public upon request.

Principle 10 – Ensuring Access to Personal Information

MHI will, upon request, inform an individual of the existence, use and disclosure of his or her personal information, and give access to that



information. An individual shall be able to challenge the accuracy and completeness of the information, and have it amended as appropriate.

Principle 11 – Challenging Compliance with Privacy Policies and Practices

An individual shall be able to address a challenge concerning compliance with the above principles, to the Privacy Officer accountable for MHI's compliance. If they are dissatisfied with the manner in which their complaint was handled, they may address their concerns to the Information and Privacy Commissioner to review. If the Commissioner reviews the matter and the individual is still not satisfied, the decision can be appealed to the Court of Queen's Bench.

COMPLIANCE TO THE POLICY:

Employees have a responsibility to familiarize themselves with the policy and comply with it. Employees who become aware of an actual or potential breach of the policy shall report it without delay to their supervisor or manager or to the Privacy Officer who shall investigate in accordance with established procedures.

To access or request correction of personal information or if you have any privacy questions or concerns, contact MHI's Privacy and Access Unit:

Legislation and Administration
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