



Bill C6 Compliance

PRIVACY POLICY

*Compliance with Bill C-6
Personal Information Protection and Electronic Documents Act*

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Key Definitions

Collection – the act of gathering, acquiring, recording or obtaining personal information from any source, including third parties, by any means.

Consent – voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing but is always unequivocal and does not require any inference on the part of the Halifax Regional Water Commission (HRWC). Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

Customer – an individual who

- (a) uses, or applies to use HRWC services;
- (b) corresponds with HRWC, or
- (c) enters an HRWC contest or other promotional activity

Disclosure – making personal information available to a third party.

Employee – a current employee of HRWC.

HRWC – the Halifax Regional Water Commission.

Personal information – information about an identifiable individual that is recorded in any form but does not include aggregated information that cannot be associated with a specific individual. For a customer, such information includes name, address and home phone number, credit information, billing records, work phone number and employer.

Third party – an individual other than the customer, or his or her agent or organization other than HRWC.

Use – the treatment, handling, and management of personal information by HRWC.

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What is Personal Information?

Personal information is information about an identifiable individual that is recorded in any form but does not include aggregated information that cannot be associated with a specific individual. For a residential customer, such information includes name, address and home phone number, and can also include credit information, work phone number and employer.

Collection of Personal Information

We collect personal information to enable the provision of water services. Specifically, the purposes are:

- to establish and maintain responsible commercial relationships with customers and provide ongoing service;
- to verify credit worthiness;
- to protect against error, fraud and other illegal activities;
- to meet legal and regulatory requirements; and
- for any other purposes to which a customer consents.

Other Parties with Whom HRWC May Share Personal Information

While our general policy is not to provide personal information to any external party, there are certain limited circumstances, outlined below, in which it is necessary to do so. When we do provide personal information to third parties, we provide only that information that is required in the circumstances and used only for the identified purpose.

Third parties include:

- an authorized service agent or representative acting on behalf of HRWC, such as a Company hired to perform installation, maintenance, data processing, research or marketing on our behalf;
- an authorized customer agent, such as a social or government agency, an executor of an estate, a person with Power of Attorney, or others acting on behalf of a customer;
- a credit reporting or collection agency, for the express purpose of obtaining information regarding customer creditworthiness or for the collection of past due bills;
- a financial institution, at the customer's request and on a confidential basis, in connection with payments, the provision of services or other financing arrangements;
- law enforcement agencies, in emergencies, for internal security matters, or where required by court order or search warrant; and
- emergency services, in emergency situations.

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Privacy Policy

The Privacy Policy complies fully with the Personal Information Protection and Electronics Document Act. The Policy is a formal statement of principles and guidelines concerning the minimum requirements for the protection of personal information provided by HRWC to our customers.

Summary of Principles

- 1) **Accountability:** HRWC is responsible for personal customer information under our control and has designated one or more persons who are accountable for compliance with the principles.
- 2) **Identifying purposes for collection of customer information:** HRWC will identify the purposes for collecting personal information at or before the time the information is collected.
- 3) **Obtaining consent for collection, use or disclosure of customer information:** HRWC will require the knowledge and consent of the customer for the collection, use, or disclosure of personal information, except where inappropriate or impractical (e.g., in emergency situations).
- 4) **Limiting collection of personal information:** HRWC will limit the collection of personal information to that which is necessary for the purposes identified by the Commission.
- 5) **Limiting use, disclosure and retention of customer information:** HRWC shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the customer or as required by law. The Commission will retain personal information only as long as necessary to fulfill those purposes.
- 6) **Accuracy of personal information:** Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.
- 7) **Security safeguards:** HRWC will protect personal information by security safeguards appropriate to the sensitivity of the information.
- 8) **Openness concerning policies and practices:** HRWC will make readily available to customers specific information about policies and practices relating to the management of personal information.
- 9) **Customer access to customer information:** HRWC will inform a customer of the existence, use, and disclosure of his or her personal information upon written request and shall give access to that information. A customer shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.
- 10) **Challenging compliance:** A customer shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for compliance with the Policy.

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Scope and Application

The 10 principles that form the basis of the Privacy Policy are interrelated and HRWC shall adhere to the 10 principles as a whole. Each principle must be read in conjunction with the accompanying commentary.

The scope and application of the Policy are as follows:

- The Privacy Policy (Policy) applies to personal information about customers that is collected, used or disclosed by the Commission.
- The Policy applies to the management of personal information, under our control, in any form whether oral, electronic or written.
- The Policy does not apply to information regarding corporate customers; however, such information is protected by other policies and practices; including contractual arrangements, and guidelines from the Nova Scotia Utility and Review Board.

The Privacy Policy (in detail)

Principle 1 - Accountability

HRWC is responsible for personal information under its control and shall designate one or more persons who are accountable for the Commission's compliance with the following principles.

- 1.1 Accountability for compliance shall be designated to one or more persons. Other individuals within HRWC may be delegated to act on behalf of the designated person(s) or to take responsibility for the day-to-day collection and processing of personal information.
- 1.2 HRWC shall make known, upon request, the title of the person or persons designated to oversee the Commission's compliance with the Policy.
- 1.3 HRWC is responsible for personal information in its possession or control, including information that has been transferred to a third party. HRWC shall use appropriate means to provide a level of protection while information is being processed by a third party (see Principle 7).
- 1.4 HRWC has policies and procedures to give effect to the Policy, including:
 - a) procedures to protect personal information;
 - b) procedures to receive and respond to inquiries or complaints;
 - c) staff knowledgeable about the Commission's policies and practices; and
 - d) information available to the public to explain the Commission's policies and procedures.

Principle 2 – Identifying Purposes for Collection of Personal Information

HRWC shall identify the purposes for which personal information is collected at or before the time the information is collected.

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- 2.1 HRWC collects personal information to enable the provision of water related services.
- a) to establish and maintain responsible commercial relations with customers and to provide service and offers;
 - b) to better understand customer needs;
 - c) to protect against error, fraud and other illegal activities;
 - d) to meet legal and regulatory requirements; and
 - e) for any other purposes to which a customer consents.

For additional purposes for which HRWC may use or disclose personal information, please see Principle 5 (Limiting Use, Retention and Disclosure). Further references to “identified purposes” mean purposes identified in this Principle and in Principle 5.

- 2.2 HRWC shall specify orally, electronically or in writing, the identified purposes to the customer at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person who shall explain the purposes.
- 2.3 Unless required by law, HRWC shall not use or disclose, for any new purpose, personal information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the customer.

Principle 3 – Obtaining Consent for Collection, Use or Disclosure of Personal Information

The knowledge and consent of the customer is required for the collection, use or disclosure of personal information, except where inappropriate.

- 3.1 HRWC may use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened. HRWC may collect or use personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is a minor, seriously ill or mentally incapacitated. HRWC may also disclose personal information without knowledge or consent to a lawyer representing HRWC to collect debts, to comply with the subpoena, warrant or other court order, or as may be otherwise required or authorized by law.
- 3.2 In obtaining consent, HRWC shall use reasonable efforts to ensure that a customer is advised of the identified purposes for which personal information will be used or disclosed.
- 3.3 Generally, HRWC shall seek consent to use and disclose personal information at the same time it collects the information. However, HRWC may seek consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.

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- 3.4 HRWC will require customers to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection use or disclosure is required to fulfill the identified purposes.
- 3.5 In determining the appropriate form of consent, HRWC shall take into account the sensitivity of the personal information.
- 3.6 In general, unless otherwise specified by a customer, a customer's use of HRWC services and correspondence with HRWC constitutes implied consent for HRWC to collect, use and disclose personal information for all identified purposes.
- 3.7 A customer may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Customers may contact HRWC for more information regarding the implications of withdrawing consent.

Principle 4 – Limiting Collection of Personal Information

HRWC shall limit the collection of personal information to that which is necessary to provide products or services or to establish a business relationship. HRWC shall collect personal information by fair and lawful means.

- 4.1 HRWC collects personal information primarily from its customers.
- 4.2 HRWC may also collect personal information from other sources including credit bureaus, employers or personal references, or other third parties that represent that they have the right to disclose the information.

Principle 5 – Limiting Use, Disclosure and Retention of Personal Information

HRWC shall 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.

- 5.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual. (See Principle 3.1)
- 5.2 HRWC may disclose a customer's personal information to:
 - a) facilitate the development, enhancement, marketing or provision of any of HRWC's services;
 - b) a Company or individual acting on behalf of HRWC, such as performing installation, maintenance, data processing, research or marketing;
 - c) a person who, in the reasonable judgment of the Commission, is an authorized customer agent;
 - d) an agent used by HRWC to evaluate the customer's creditworthiness or to collect the customer's account;
 - e) a financial institution, at the customer's request and on a confidential basis, in connection with payment, the provision of services or other financing arrangements;

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- f) a third party or parties, where the customer consents to such disclosure or disclosure is required by law; and
 - g) a public authority or agent of a public authority, if in the reasonable judgment of HRWC, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information.
- 5.3 Only HRWC employees who require access for business reasons, or whose duties reasonably so require, are granted access to personal customer information.
- 5.4 HRWC shall keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about a customer, HRWC shall retain, for a period of time that is reasonably sufficient to allow for access by the customer, either the actual information or the rationale for making the decision.
- 5.5 HRWC shall maintain reasonable controls and practices for the retention and destruction of personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased or made anonymous.

Principle 6 – Accuracy of Personal Information

- Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.
- 6.1 Personal information used by HRWC shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer.
- 6.2 HRWC shall update personal information about customers as and when necessary to fulfill the identified purposes or upon notification by the individual.

Principle 7 – Security Safeguards

- HRWC shall protect personal information by security safeguards appropriate to the sensitivity of the information.
- 7.1 HRWC shall use reasonable efforts to protect personal information against such risks as loss or theft, unauthorized access, disclosure, use or modification, through appropriate security measures. HRWC shall protect the information regardless of the format in which it is held.
- 7.2 HRWC shall protect personal information disclosed to third parties by contractual agreements, when required.
- 7.3. HRWC employees with access to personal information shall respect and maintain the confidentiality of the information.

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Principle 8 – Openness Concerning Policies and Practices

- 8.1 HRWC shall make readily available to customers specific information about its policies and practices relating to the management of personal information.
- 8.2 HRWC shall make information about its policies and practices easy to understand, including:
- a) the title and address of the person or persons accountable for the Commission’s compliance with the Policy and to whom inquires or complaints can be forwarded;
 - b) the means of gaining access to personal information held by the Commission; and
 - c) a description of the type of personal information held by the Commission, including a general account of its use.

Principle 9 – Customer Access to Personal Information

HRWC shall inform a customer of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information.

A customer shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

In certain situations, HRWC may not be able to provide access to all of the personal information it holds about a customer. For example, HRWC may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be connected to threaten the life or security of another individual. Also, HRWC may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law. If access to personal information cannot be provided, HRWC shall provide the reasons for denying access upon request.

Upon request, HRWC shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, HRWC shall provide a list of organizations to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.

- 9.1 Upon request, HRWC shall allow a customer access to their information. Personal information shall be provided in understandable form within a reasonable time and at minimal or no cost.
- 9.2 HRWC will correct or complete any personal information found to be inaccurate or incomplete.

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Principle 10 – Challenging Compliance

A customer shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for HRWC's compliance with the Policy.

- 10.1 HRWC shall maintain procedures for addressing and responding to all inquired or complaints from its customers about the Commission's handling of personal information.
- 10.2 HRWC shall inform its customers about the existence of information management and complaint procedures.
- 10.3 HRWC shall investigate all complaints concerning compliance with the Policy. If a complaint is found to be justified, the Commission shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A customer shall be informed of the outcome of the investigation regarding his or her complaint.