

Information  
and Privacy  
Commissioner of  
Ontario

## Caller ID Guidelines



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**Information and Privacy  
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## Introduction

The Information and Privacy Commissioner/Ontario (IPC) has a mandate under the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (the *Acts*) to research and comment upon matters relating to the purposes of the *Acts*. One of these purposes is to protect the privacy of individuals with respect to their personal information held by government institutions.

In order to identify issues that may impact on the privacy of Ontario residents, the IPC follows the development of emerging social, economic and technological trends. One privacy intrusive development in the area of telecommunications is a technology that allows for the display of incoming telephone numbers on certain types of telephones. This function is commonly referred to as caller identification or “Caller ID”.

Concerns about Caller ID range from complaints about the display of unlisted telephone numbers, to a resulting increase in the amount of junk mail and telemarketing. However, a more fundamental issue is that Caller ID has the potential to invade an individual’s privacy. Privacy is based, in part, on the concept that information about an individual is his or her own, to communicate or not to others as the individual determines.

Caller ID allows for the display and collection of telephone numbers without the knowledge or consent of the caller. One new system even displays the name of the telephone subscriber, as well as the telephone number. Some businesses are using Caller ID to create telemarketing databases and mailing lists. The latter is possible through the use of “reverse” directories which allow for the identification of an individual’s name and address from a telephone number.

As Caller ID becomes more widely available, some government institutions, at both the provincial and municipal levels, have introduced telephone systems with this capability. The purpose of these guidelines is to alert institutions to the privacy concerns associated with Caller ID, as well as to provide guidance on how to address them. The IPC’s goal is to present guidelines that are consistent with the provisions of the provincial and municipal Acts, current technological capabilities, and potential future developments.

## Background

### Call Management Services

In November 1989, Bell Canada submitted an application to the Canadian Radio-Television and Telecommunications Commission (CRTC) for approval to introduce Call Management Services (CMS). Four options were proposed as part of CMS:

- **Call Display** (also known as Caller ID) presents a visual display of the calling party's telephone number on a special type of telephone equipped with a screen.
- **Call Return** re-dials the last incoming call. This option incorporates a call scanning service. If the number re-dialled is busy, the service will scan for 30 minutes and upon finding the number free, will alert the customer of the available line using a special ring. When the receiver is picked up, the number is automatically dialled.
- **Call Screen** re-routes calls from up to 12 unwanted numbers to a dead-end tape-recorded message at Bell Canada.
- **Call Trace** allows customers to record and store details of the last incoming call. The stored information is available only to Bell Canada's Security Department. At the customer's request, the record can be forwarded to a law enforcement agency for investigation.

Call Management Services were approved by the CRTC in May 1990, despite numerous submissions from interested parties expressing concern over the privacy implications of CMS. In particular, Call Display or Caller ID was viewed as an invasion of the caller's privacy, unless some way to block the transmission and display of the caller's telephone number (known as call blocking) was made available free of charge. At that time, free call blocking was not endorsed by the CRTC. Instead, operator assistance was required, with a charge of 75 cents per call. Free blocking was only accorded to registered women's shelters.

Following additional submissions protesting the May decision, particularly the costs associated with per call blocking, the CRTC conducted another review of Bell Canada's application. In March 1991, the CRTC confirmed its original decision to approve CMS. However, in May 1992, the CRTC revised its decision and ordered that Bell Canada provide per call automated blocking free to those subscribers who request it.

### Technology

Although it is the development and approval of CMS that has made Caller ID widely available, some organizations, primarily large businesses and government institutions, have had the capability of identifying incoming telephone numbers for some time. A long-standing technology called Automatic Number Identification (ANI) collects billing information by automatically capturing the calling party's billing/account number.

Both ANI and CMS enable subscribers to identify the telephone number of incoming calls, but there are a number of key differences:

- ANI captures an account number, which is a directory number for most residential service, while CMS captures a directory number.
- ANI is available on a national basis to large businesses with sophisticated telephone systems, while CMS is available locally to residential and single line business subscribers. Both services can be delivered locally and for long-distance.
- CMS is currently not available on lines with two or more parties, centrex systems and public phones. This is expected to change when telephone companies introduce a new service (BCLID - discussed below) that will allow organizations with centrex systems to access all Call Management Services. For now, only the main number of the subscriber will be displayed for incoming calls from multiple line centres to phones equipped with Caller ID. In addition, outgoing numbers of those making operator-assisted calls cannot be displayed.
- Blocking cannot be done through systems based on ANI technology. However, call blocking can be achieved within a CMS system on a per call or per line basis.

Recently, a new feature called Automatic Call Rejection was introduced to CMS. This allows an individual to block incoming calls originating from lines that have blocked their number display. The feature re-routes the calling party to a recorded message which indicates that the called party will not accept calls that are blocked.

Bulk Calling Line Identification (BCLID) technology was also recently introduced. Although BCLID will ultimately enable Caller ID for all multi-line, centrex and Public Branch Exchange (PBX) customers, it can only deliver this service to PBX customers at present. This new technology is capable of delivering the calling and called directory numbers, the time of the call, the status of the line called (busy or open) and the line type (individual or group). In addition, the subscriber can receive a display of the information and/or store BCLID data for future reference.

## **Government Telecommunications Systems**

As telecommunications technology has advanced, government organizations have introduced telephone systems that have many of the new features, including Caller ID. The capabilities of government telephone systems vary according to the type of technology adopted.

All provincial government offices located in and around Queen's Park operate on a centrex telephone system. This system has a number of features designed to enhance efficiency, including the display of internal telephone numbers (i.e., the seven digit telephone number of a call placed within the Queen's Park centrex system). At present, this system does not display the telephone numbers of calls originating outside Queen's Park. However, it is anticipated that the display of external numbers will be introduced in the near future.

Provincial government organizations not on the Queen's Park telecommunications system do not share a single telephone system with standard features. Each has purchased a system that meets its specific needs. For this reason, provincial government institutions use a mixture of systems based on ANI technology, PBX and centrex, some of which have the capacity for Caller ID.

As well, some municipal institutions have opted for telecommunications systems that allow for Caller ID.

## Guidelines

These guidelines are targeted at government institutions that currently have Caller ID, as well as those contemplating the use of the service. Their purpose is to ensure that the privacy concerns relating to this technology are recognized and considered by institutions. In this context, the guidelines focus on the display of non-government telephone numbers, rather than the identification of government numbers.

The guidelines are predicated on the assumption that provincial and municipal organizations are aware of, and fulfilling, their obligations under the *Acts* and associated regulations. For this reason, the protection of privacy provisions of the *Acts* will not be re-stated. The guidelines address issues that may fall outside the strict statutory requirements of the *Acts*, but that nonetheless should be addressed by institutions.

### Appropriateness of Caller ID

Institutions need to balance privacy considerations with the efficiency and usefulness of advanced telecommunications systems. The IPC encourages all government organizations to carefully evaluate the usefulness and appropriateness of Caller ID. There are legitimate circumstances when an institution should not know who is calling or from where (e.g., when an institution provides confidential advice on such matters as sexual harassment or pay equity). Therefore, where confidentiality is essential for the proper conduct of business over the telephone, institutions need to determine if Caller ID is appropriate for those lines.

### Identity of Caller

Government employees need to be aware that the displayed telephone number may not belong to the caller. For example, a client may be calling from another individual's home or business. Therefore, if a telephone number needs to be recorded, employees should always verify the caller's number. In addition, special care should be taken not to inadvertently disclose personal information as a result of Caller ID. This means that employees responding to a telephone inquiry should not assume the identity of a caller based on the displayed number. Employees of government organizations should take all reasonable and appropriate steps to verify the identity of the caller before disclosing personal information over the telephone.

### Automatic Record Retrieval Systems

Generally, Caller ID will have no impact on an institution's use of personal information pursuant to the *Acts*. However, technology allows for the displayed number to be used as a method of retrieving automated records. These records may be retrieved and displayed on a computer terminal simultaneously as an employee picks up the receiver of his/her telephone. This raises a privacy concern when the records contain personal information, particularly because telephone numbers are not exclusively held by a single individual.



Automatic record retrieval systems using Caller ID, may result in the retrieval of personal information even when that information is not necessary to answer a caller's inquiry. Such an action may contravene the provisions of the *Acts* that govern the manner in which institutions may use personal information. For example, the *Acts* provide that personal information may be used by an institution only in certain circumstances, such as when the individual has consented to its use, or where the information is being used for the purpose for which it was originally collected or for a consistent purpose. Both these principles may be violated where Caller ID is used to trigger the automatic retrieval of personal information.

For this reason, and because telephone numbers are unreliable personal identifiers, the IPC discourages institutions from designing and implementing large, multi-purpose automated files containing personal information that utilize Caller ID as the method of retrieval.

### **Informing the Calling Party of the Presence of Caller ID**

When brought to their attention, callers often find it disconcerting to learn that their telephone numbers have been displayed without their knowledge. Some consider such displays to be an invasion of their privacy. Therefore, as a courtesy, and where feasible, institutions should inform calling parties of the presence of Caller ID. The IPC also encourages institutions to provide advance notice where possible (e.g., a general notice of the existence of Caller ID in government telephone listings or a recorded message advising callers that the organization uses Caller ID).

### **Location of Caller ID Equipment**

Institutions should protect the privacy of the caller's displayed telephone number by ensuring that all telephones with Caller ID are placed out of the view of the general public. In this manner, the opportunity for unauthorized individuals to view and note the displayed telephone number will be minimized.



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