Planning for Success

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PPCOP – 16 Sept 2015
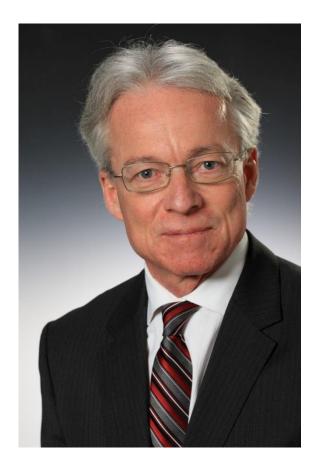
Presentation Outline

- **Who We Are**

- **PIAs Defined**

- **IPC Interest in PIAs**

- **Developing the PIA Guide**

- **Overview of IPC PIA Guide** (May 2015)

- **PIA Methodology and Tools**

  1. Preliminary Analysis + Questionnaire

  2. Project Analysis + Questionnaire

  3. Privacy Analysis + Checklist

  4. PIA Report + Template

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Who We Are

Commissioner Brian Beamish

- Appointed by Ontario Legislature
- Independent from government
- Oversees 3 privacy & access to information laws

Mandated to:
- Investigate privacy complaints

- Resolve appeals from refusals to provide access to information

- Ensure organizations comply with the access and privacy provisions of the acts

- Educate public about Ontario access and privacy laws

- Conduct research on access / privacy issues

- Provide advice and comment on proposed government legislation & programs

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PIAs Defined

PIA definition:

– A PIA refers to a process/approach for **identifying and analyzing privacy risks** when changing or developing programs or systems (OPS PIA Guide, page 5).

– A good PIA analysis provides senior management and program and system designers with sufficient **information to reduce, mitigate or avoid different types of privacy risks.**

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PIAs Benefits

PIA Benefits:

Ethical: respond to FIPs and transparent PI handling practices.

Risk Mitigation: Best tool to identify privacy risks, document countermeasures and implement mitigation strategies.

Compliance: directives, policies, legal, legislative req'ts.

Save time and money: avoid re-designs, delays, risk of project cancellation.

IPC Interest in PIAs

- Longstanding interest in PETs, privacy-enhancing architectures, proactive risk reduction.

- PHIPA PIA Guide (2005).

- Due diligence exercise; document decisions.

- Useful during Reviews, Complaints, Investigations

- Trend: proactive assurance and attestation of information management practices.

Developing the PIA Guide

- IPC reviewed current state of the art

- OPS PIA approach was the chosen template/model

- Need to establish common baseline

- Requirements for PIA Guide:
  - Short (< 15 pages)
  - Readable (4 major steps)
  - Usable (include practical tools)
  - Compatible with existing methods and processes

Privacy Impact Assessment (PIA) Guide

Planning for Success:
Privacy Impact Assessment
Guide

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IPC PIA Guide (May 2015)

- Tool to identify privacy effects, mitigate risks, of a given project
- Intended for FIPPA & MFIPPA institutions.
- Simplified 4-step methodology with tools.
- Basis for developing internal PIA policies and procedures.

Download at: https://goo.gl/9gM1x6

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PIA Methodology and Tools

Key Steps	Tools
1. Preliminary Analysis **Is personal Information involved?**	Appendix A: Questionnaire
2. Project Analysis **Gather project info, people and resources**	Appendix B: Questionnaire
3. Privacy Analysis **Identify and mitigate risks**	Appendix C: Checklist
4. PIA Report **Document findings, get approval, proceed**	Appendix D: Template

Downloadable Worksheet containing all Appendices: https://goo.gl/aRS8I4

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Step 1. Preliminary Analysis

Q. Does the project involve Personal Information (PI)?

- What is personal information?

Preliminary Analysis Questionnaire (Appendix A)

Key Outcomes:

- Explanation of project purpose, scope, key objectives
- Understanding of the information involved in the project, and whether or a not PI will be involved
- Description of PI types collected, used, retained, disclosed, secured or disposed of
- Statement about whether to proceed with the PIA, and reasons

Step 2. Project Analysis

Gather project info, people and resources

Project Analysis Questionnaire (Appendix B)

Key Outcomes: Project documentation should show:

- How PI will be collected, used, disclosed, secured, and disposed, including who is responsible and how technology will be used.

- Who will have access to PI throughout its lifecycle, for what purposes and with what privileges.

- How PI will flow through existing and planned programs, systems or processes during each associated business process.

- How and when PI will move beyond the custody of the institution

Step 3. Privacy Analysis

Identify Risks

- Identify privacy gaps and potential impacts

Analyze Findings

- Identify privacy solutions

- Identify actions items

Privacy Analysis Checklist (Appendix C): includes M/FIPPA compliance checklist that follows the information life-cycle: ● Collection ● Use ● Disclosure ● Accuracy/ Correction ● Security ● Access ● Retention ● Disposal ● Privacy Management

Step 4. PIA Report

Document Findings in a Report

- See *PIA Report Template* (Appendix D) for sample report format

Get Approval

- Once the action items to address identified privacy risks are approved, update your PIA report and project plan, if necessary.

Update Findings and Analysis (as Required)

- Ongoing assessment is an essential part of identifying and mitigating new issues and changes impacting privacy

Concluding the PIA Process

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