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IPC Practices

PUTTING ONTARIO'S INFORMATION AND PRIVACY LEGISLATION TO WORK
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO
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The Collection and Use of the Social Insurance Number

The Information and Privacy Commissioner (IPC) would like to encourage institutions to review their practices and procedures with regard to the collection and use of the social insurance number (SIN). The purpose of this issue is to create an awareness of the privacy implications of using the SIN as a unique personal identifier.

While the SIN serves an important role in the organization of local and provincial government programs — for example, in connection with the administration of pension and payroll information — its use as a broad personal identifier was never intended or sanctioned by federal legislation.

In 1988, in response to the concerns of Canadians, the federal Treasury Board restricted the use of the SIN in federal institutions to those authorized by statute and for purposes such as the administration of tax, pension, and social benefits programs. Federal institutions using SINs as employee numbers were required to develop new practices by the fiscal year 1994.

Yet, because no controls were imposed at the time of its introduction, the SIN is widely used by both the public and private sectors for purposes which bear no relation to its original intent.

The general public is becoming increasingly concerned about the collection of unique personal identifiers like the SIN. In fact, the IPC has received a number of complaints about its collection and use by both provincial and municipal institutions.

One of the areas of growing concern is that, with the development of computer technology, SINs may be increasingly used for linking personal information in ways that may pose a threat to personal privacy. Computer matching, which involves the linking of two or more automated systems of records, can pose a threat to privacy if conducted without adequate safeguards. If a SIN is collected for an authorized purpose, it should not be used or disclosed in a match for another purpose without the individual's consent.

In considering the collection and use of the SIN, institutions must carefully consider any potential invasion of personal privacy that might result.

Recommended Procedures

The IPC urges institutions to consider the following procedures with regard to the collection and use of social insurance numbers:

1. Determine whether you are permitted to collect the SIN. The SIN qualifies as personal information under the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (the *Acts*). As such, it can only be collected as specified in Section 38(2) of the provincial *Act* or 28(2) of the municipal *Act*:



- as authorized by statute;
 - for the purposes of law enforcement; or
 - as *necessary* for the proper administration of a lawfully authorized activity.
2. Check areas where the SIN might be commonly used as a personal identifier, such as on attendance forms and internal reports, and eliminate any inappropriate usage.
 3. If collection is permitted, advise the SIN holder of the purpose of the collection and the intended use(s). Provide the name, business title, and telephone number of a person at your institution who can answer questions about how the SIN will be used.
 4. Where it is deemed appropriate to collect the SIN, consider whether the SIN needs to appear on a printout or form that may be viewed by others. You

may wish to omit the SIN when printing the form. Ensure that the SIN is kept confidential and that it is accessible only to those who need to see it in the performance of their duties.

5. If a personal identifier is required, consider developing your own unique identification number, instead of using the SIN.
6. Determine if the SIN is being *used* for an authorized purpose in accordance with section 41 of the provincial *Act* and section 31 of the municipal *Act*.
7. Refer to the relevant collection, retention, use, and disclosure provisions of the *Acts* (Part II of the municipal *Act* and Part III of the provincial *Act*).

The IPC would like to point out that these collection and usage considerations hold true whether an institution is dealing with its own employees or the general public.

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