

POLICY NUMBER: POL-168

Chapter:
GENERAL

Subject:
PERSONAL INFORMATION AND PRIVACY PROTECTION

Effective Date:
December 7, 2023

Last Update:
December 7, 2023

PURPOSE STATEMENT:

The purpose of this policy is to explain how the Workers Compensation Board (WCB) protects, collects, uses, and discloses personal information.

REFERENCE:

Archives and Records Act R.S.P.E.I 1988, Cap. A-19.1

Freedom of Information and Protection of Privacy Act R.S.P.E.I 1988, Cap. F-15.01

DEFINITIONS:

In this policy:

“Personal information” means recorded information about an identifiable individual, including:

- The individual’s name, home, or business address or home or business telephone number.
 - The individual’s race, national or ethnic origin, colour or religious or political
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beliefs or associations.

- The individual's age, sex, marital status, or family status
 - An identifying number, symbol or other particular assigned to the individual.
 - The individual's fingerprints, other biometric information, blood type, genetic information or inheritable characteristics.
 - Information about the individual's health and health care history, including information about a physical or mental disability.
 - Information about the individual's educational, financial, employment or criminal history, including criminal records where a pardon has been given.
 - Anyone else's opinions about the individual, and
 - The individual's personal views or opinions, except if they are about someone else.
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POLICY:

General

1. The WCB is committed to protecting personal information and the privacy of those we serve, in accordance with the *Freedom of Information and Protection of Privacy (FOIPP) Act*.
 2. This policy applies to the information held by the WCB and extends to information held by persons contracted to perform services by the WCB.
 3. As the administrator of Prince Edward Island's workplace safety and compensation system, the WCB is entrusted with sensitive and personal information. The WCB makes every reasonable effort to ensure the security, confidentiality, privacy, and accuracy of this information.
 4. The WCB protects privacy by limiting the collection, use and disclosure of personal information to what is needed to administer programs and services under the *Workers Compensation Act*, the *Occupational Health and Safety Act* and other applicable legislation.
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Collection of Information

5. The WCB is required to collect personal information to administer WCB programs and services. The WCB limits the collection of information to that which is relevant and necessary.
6. The WCB collects information directly from the individual, as well as from other individuals as authorized by legislation. This includes employers and healthcare providers.
7. The WCB will identify the purpose and authority when collecting personal information.
8. If the WCB receives unsolicited personal information and determines it is not relevant or necessary, the information will be returned, redacted, or destroyed.

Information Use and Access

9. The WCB uses personal information only for the purpose it was collected, or for a consistent purpose.
10. Access to personal information is restricted to only those who require the information for the administration of WCB programs and services.
11. Individuals have the right of access to their own personal information that the WCB holds subject to limited and specific exceptions set out in the *FOIPP Act*.

Disclosure

12. The WCB only discloses personal information when authorized by applicable legislation. In other circumstances, the WCB must obtain consent before releasing any information.
13. The disclosure of specific information is set out in WCB policies, POL-04, Access to Worker Claim Information, POL-18, Access to Information - Employer Assessment Files,

and POL-161, Disclosure of Occupational Health and Safety Information

Records Management

14. The WCB is required to manage its records in accordance with the *Archives and Records Act*.
15. WCB records containing personal information are managed responsibly, retained according to authorized retention schedules, and disposed of securely.

Rights of Correction and Review

16. The WCB makes every reasonable effort to keep personal information accurate, complete, and up-to date.
17. Individuals have the right to request correction of their personal information. Requests can be made to the WCB FOIPP Coordinator.
18. Individuals may contact the WCB with any questions or feedback about privacy protection of personal information. Complaints about the WCB's handling of personal information can be directed to the WCB FOIPP Coordinator.
19. If an individual is not satisfied with the WCB's handling of their personal information, they have the right to request a review with the Office of the Information and Privacy Commissioner.

Privacy Breach Management

20. The WCB takes all reasonable precautions to protect the privacy of personal information. In the event of a privacy breach, the WCB has internal procedures to contain and recover personal information, notify impacted individuals, and to put preventative measures in place to prevent similar occurrences in the future.

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HISTORY:

Approval Date: December 7, 2023