

Village Of Cache Creek

Policy No. A-12

ICBC Information Protection Policy

Date Approved by Council:

January 17, 2022

Effective:

January 17th 2022

PURPOSE: The intent of this policy is to ensure personal information collected from the Insurance Corporation of British Columbia (ICBC) by the Village of Cache Creek staff is only obtained:

- a) in accordance with the Access to Information Agreement between the Village and ICBC (the "Agreement");
- b) as necessary for completing assigned tasks;
- c) with appropriate care and discretion;
- d) and is destroyed in accordance with the Local Government Management Association (LGMA) Records Management Manual.

This policy has been developed in accordance with British Columbia's *Freedom of Information and Protection of Privacy Act* ("FOIPPA"), which sets out rules for how public bodies can collect, use and disclose personal information. Personal information is defined as recorded information about an identifiable individual other than business contact information. Personal information includes licensing information or registration numbers for vehicles.

DEFINITIONS:

Council: means the Council of the Village of Cache Creek.

Disclose: means the sharing of personal information with a separate entity that is not a part of the local government body in control or custody of that information.

Employee: means an employee of the Village.

Personal Information: means recorded information about an identifiable individual.

The "Agreement": means the Information Sharing Agreement between the Village and ICBC

Use: means the internal utilization of personal information by a public body, including the sharing of personal information in such a way that it remains under the control of the public body.

Village: means the Village of Cache Creek.

POLICY:

TYPES OF PERSONAL INFORMATION COLLECTED

Staff may collect the following information from ICBC using vehicle license plates:

- a) Licensing information (plate, registration number, relevant dates);
- b) Current vehicle description (VIN, year, make, model, colour, body style);
- c) Registered owner information (name and address).

The Village may only use the personal information disclosed to it by ICBC pursuant to the Agreement for the purposes set out below:

- a) Collecting a debt or fine owing to the municipality;
- b) To assist in a specific investigation of a municipal bylaw violation, undertaken with a view to a law enforcement proceeding, or from which a law enforcement proceeding is likely to result;
- c) Enforcing parking violations once a violation ticket has been issued.

USE OF PERSONAL INFORMATION

In practice, license plate information is collected if a vehicle is found to be in contravention of a Village Bylaw. Plate information is used to obtain the vehicle owner's contact information from ICBC in accordance with the Agreement so they may be contacted by the Village.

Staff may only collect and use personal information as necessary to fulfill their duties as outlined under "Types of Personal Information Collected" above. This information will not be collected or used for any other reason unless consent has been obtained from the impacted individual in accordance with FOIPPA.

The Village will not use the personal information to develop or maintain a database of vehicle records for future reference.

DISCLOSURE OF PERSONAL INFORMATION

Personal information collected by staff will only be disclosed to those staff whose duties require such access, the Bylaw Enforcement Officer for the purposes of issuing/following up on tickets, and the collector for the purpose of collecting outstanding fines. Personal information collected pursuant to the Agreement will not be disclosed to individuals, the public, or agencies external to the Village unless:

- a) The impacted individual consents to this disclosure in accordance with FOIPPA;
- b) The disclosure is authorized by FOIPPA; or
- c) As authorized or required by law.

SECURITY OF PERSONAL INFORMATION

In accordance with FOIPPA, the Village will make reasonable security arrangements to protect personal information under its custody and control against risks such as unauthorized access, collection, use, disclosure or disposal. Examples of current security arrangements employed by the Village include:

- a) All physical documentation containing personal information for active files is retained in a secure (locked) filing cabinet;
- b) Personal information in electronic format consists only of the license plate number and is retained within a program that only authorized employees and the Bylaw Enforcement Officer(s) can access;
- c) Information collected for billing or payment purposes will be retained within finance filing and be destroyed in accordance with Local Government Management Association (LGMA) Records Management Manual.
- d) Personal information collected pursuant to the Agreement will not be stored, disclosed or accessible outside Canada; and
- e) An employee, officer or Director of the Village, who knows there has been an unauthorized disclosure of personal information that is in the custody or under the control of Village, must immediately notify the Chief Administrative Officer

RETENTION AND DISPOSAL

In accordance with the Local Government Management Association (LGMA) Records Management Manual, receipts and related information are retained for eight years. Upon completion of the retention period, the documentation and information will be destroyed. Personal information collected in relation to a bylaw file is permanently retained.

In accordance with the Agreement with ICBC, personal information collected pursuant to the Agreement will be retained for at least three years following the release of the personal information to which the record relates.

CORRECTION OF PERSONAL INFORMATION

Information collected by the Village may be corrected either upon written request of the individual or through updated ICBC records. Should the individual request an update directly, the Village will verify the information with ICBC before making any changes.

PRIVACY COMPLAINTS

Should an individual lodge a complaint regarding a breach of their privacy with respect to the Village's collection of personal information pursuant to the Agreement, staff will work with the complainant to try to resolve the issue. Staff will respond to complaints in a timely fashion and if a complaint cannot be resolved, the Village will refer the complainant to ICBC or the Office of the Information and Privacy Commissioner of British Columbia (OIPC).