Office of the Chief Information and Privacy Officer

Privacy Impact Assessment Workshop Part One

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Ontario

Disclaimer

- This workshop assumes that you have already determined that a PIA is necessary
  - Which may not always be the case …
- Other privacy ‘products and services’
  - Analysis
  - Design Requirements
  - Risk Management
  - Audit

Outline

- Module 1: Understanding Privacy
- Module 2: PIA Methodology
- Module 3: Group Case Studies
- Module 4: Summary / Lessons Learned


shhh


shhh...

Technology Changes Privacy

- Without technology, privacy is a part of physical reality
  - I walked down the street, if no one else was there, I could assume I was unobserved
  - Video-surveillance cameras = a hidden camera can observe me even when I think I'm alone
  - Technology evolves, digital cameras = cheap and compact to store the video forever, machines can read it without human intervention


HER BLIND DATE SEEMED NICE ENOUGH, BUT HE COULD BE ANYBODY... A HUGE STAR TREK FAN, A PORN WEBMASTER, OR EVEN, GOD HELP HER, A RIGHT-WING BLOGGER!
THE MAN SHE FORGOT TO GOOGLE!
DON'T LET IT HAPPEN TO YOU!

Module 1

- Types of Privacy
- Privacy Legislation
- Definitions
- Privacy Language

Types of Privacy

- Territorial Privacy
  - Setting boundaries on intrusion into an explicit space or location
- Physical Privacy
  - Defining intimate acts, behaviour or body parts
- Informational Privacy
  - Legislatively defined

Informational Privacy

- “Privacy is the claim of individuals, groups and institutions to determine for themselves, when, how and to what extent information about them is communicated to others” (Westin 1967)
- Any information concerning the personal or material circumstances of an identified or identifiable person
- "personal information" (PI) means information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization

Provincial Privacy Legislation

- Public sector organization are guided by the *Freedom of Information and Protection of Privacy Act* (FIPPA)
- FIPPA is regulated by the Information and Privacy Commissioner / Ontario (IPC)
  - Complaint based
  - Right of audit

The CSA Code

- The Canadian Standards Association is a **not-for-profit membership-based association** serving business, industry, government and consumers that develops standards
- The CSA ***Model Code for the Protection of Personal Information*** (Q830) sets out ten principles that balance the privacy rights of individuals
- **Privacy Code** is the basis of Canadian privacy legislation
  - Allows for a flexible and adaptive PIA

Concordance Analysis

CSA Code	FIPPA
Accountability	Section 2, 11, 37, 38(1), 62(1), 69
Identifying Purpose	Section 39(2), 43
Consent	Section 17(2), 38(2), 41(1), 42(1), 65.1(4)
Limiting Collection	Section 38(2), 39(1)
Limiting Use, Disclosure and Retention	Section 40(1), 40(4), 41, 42, O.Reg 460 5(1)
Accuracy	Section 40(2), 47(2)
Safeguards	Section 10(2), O.Reg. 460 3(1), 4(1), 4(3), 10(1)
Openness	Section 44, 45, 46
Individual Access	Section 10(1), 12-23, 24-30, 47(1), 48-49
Challenging Compliance	Section 50-54, 56, 59

Privacy Language

- Data Subject
- Records
- Custody & Control
- Identifying Information

Module 2

- PIA Methodology
  - Step 1: Scoping
  - Step 2: Information Gathering
  - Step 3: Report Writing
  - Step 4: Review
  - Step 5: Approvals

Tips

- Information does not need to include a name to be personal information
  - For example: physical description or a photograph plus an address
- An individual's name on its own is not personal information
  - A name must be associated with other information to make it ‘identifiable’
- Standards for de-identification change frequently (especially in health)

Case Study

Case Study: Presto

- *PRESTO is a revolutionary way to use public transit. It has "smart" technology built into it, which means that it acts like a mini-computer.*
- *It is the size of a gift or debit card so it fits easily into your wallet, purse or pocket. The computer chip in your card communicates with the card reader in transit stations or on transit vehicles. The system calculates the lowest fare for your trip, and deducts the fare from the balance stored on your card – all in less than one second.*
- *Unlike paper tickets or passes, the card is made of durable plastic so you can keep it and use it for as long as you need to.*
- *Electronic fare cards are used around the world with great success. Several public transit agencies in North America are currently implementing similar fare systems.*

PIA Methodology

- Step 1: Define the Scope
- Step 2: Information Gathering
- Step 3: Report Writing
- Step 4: Review
- Step 5: Presentation of Results

Step 1: Scope

- Small, medium or large
- Define and document
  - Project Phases
  - Organizations and Partners
  - Information Technology
  - Business Processes
  - Personal Information
  - Legislation and Policy

When is PRESTO coming?

The PRESTO card will be rolled out in four stages across the Greater Toronto and Hamilton Area and Ottawa:

Stage One
Field Trials (Fall 2009):
- GO Transit's Oakville, Bronte and Union GO Rail stations.
- Oakville Transit (10 buses).
- Toronto Transit Commission (TTC) Union Station.

Stage Two
Spring 2010
- GO Transit's Lakeshore West, Georgetown and Milton GO Rail lines.
- Oakville Transit.
- Burlington Transit.
- TTC (6 Subway Stations)

Stage Three
Fall 2010
- GO Transit's Lakeshore East, Barrie and Richmond Hill GO Rail lines and all associated GO Bus routes.
- Mississauga Transit.
- Brampton Transit.
- Hamilton Street Railway.
- TTC (Kipling and Islington Subway Stations).

Winter 2011
- Durham Region Transit
- York Region Transit
- GO Transit's Stouffville GO Rail line and all remaining GO Bus routes.
- TTC (Don Mills, Downsview and Finch Subway Stations).

Stage Four
Winter 2011
- Ottawa's OC Transpo System.

This web site will provide regular updates regarding the full implementation of PRESTO.

Step 2: Information Gathering

- Follow the personal information
  - talk to everybody who works with personal information directly relevant to the project including business and technology groups, support and administrative staff

- Collection, use and disclosure
  - How did it get there in the first place?
  - How is it used? By who? For what?
  - Has this changed?
  - Who else has access (including internal and external parties)?
  - What happens when nobody needs it anymore?

Why the PRESTO card?

Why now?

The PRESTO card uses the latest technology to improve the transit experience and make it more convenient for riders.

More transit riders mean fewer car trips, less congestion, and a cleaner environment.

What's in it for me?

Your PRESTO card will make your life easier.

- **Easy transfers.** Move within and between transit systems, such as from a local bus to a GO Train, without worrying about what the different fares are. The system does the work for you.
- **Faster boarding.** It takes only one-third of a second for the system to recognize a card and deduct a fare.
- **Convenience.** No pressure on you to find the exact cash or the right ticket, and no waiting behind someone counting his coins.
- **Flexibility.** One card for travel on any participating transit system, at any time. Change your plans without worry. Take any transit trip you need to.
- **Peace of mind.** If your registered PRESTO card is lost or stolen, it can be replaced and the value restored and you will not have to worry about carrying and accessing cash while you travel.
- **Time-saving ways to reload your card.** You can add a dollar value to your card in person, via a web site or call centre, or through a pre-authorized payment.

Why do transit systems want a fare card?

Better service, improved efficiency and lower costs.

A number of the Provinces' transit systems, including GO Transit, need to replace aging fare collection systems. The time is ripe for a new, common system that will lower costs. All around the world, transit systems are moving to electronic fare cards because this type of system provides:

Use It

The PRESTO System will be rolled out in three stages across the GTA. Please see "When is PRESTO coming" to find out when the PRESTO card will be available in your area.

The basics

Using PRESTO is easy. Every time you ride transit you tap the card lightly on a card reader machine located at the transit vehicle door or at the station. Instantly the system calculates and deducts the correct fare or recognizes your pass.

The card reader will beep and display a green light to proceed. If there is a problem with your card, there will be a beep and a red light.

Where can I use PRESTO?

Go to "When is PRESTO Coming" to see when the Presto card will be available in your area.

- Municipal transit systems will use the PRESTO card for fare payment on their bus services (except the TTC). GO Transit will use the card for fare payment on the GO Train and GO Bus.
- If your transit trip includes entering the Toronto Transit Commission (TTC) subway at Union, Finch, Downsview, Don Mills, or Islington stations, you will be able to use your fare card for your subway ride. These five stations will have some turnstiles equipped with the fare card reader. For all other TTC trips, regular TTC fare media (such as tokens) will be required. The TTC continues to evaluate how they might further implement the fare system beyond the five stations after 2010.
- You will also use your PRESTO card to transfer easily between participating transit systems.

When to tap

You always need to "tap on" when you begin your transit trip. To "tap on," you gently touch your PRESTO card to the card reader located at the transit vehicle door or in the station to pay your

Get It

The PRESTO System will be rolled out in four stages across the GTA and Ottawa. Please see "When is PRESTO coming" to find out when the PRESTO card will be available in your area.

Where to get your PRESTO card

When PRESTO comes to your area, get your card:

In person at:
- GO Transit train stations and bus terminals
- Local transit customer service outlets (outside the TTC)
- A network of retail outlets (outside the City of Toronto)

On the PRESTO website (the card will be mailed to you)

Loading your card the first time

When purchasing your PRESTO card, you must load either a dollar value (also called an e-purse), or a monthly pass (also called a period pass – available in fall 2010) onto it. Your PRESTO card costs $6, and you must load at least $10 or a period pass on your card when you get it.

The farecard will store the dollar amount loaded. Each time you travel, the cost of the trip is deducted from your e-purse. If you have stored a period pass, the system simply recognizes the pass and checks the expiry date.

Once you have the fare card, it will be yours to use and reuse for years to come.

Customizing your card

Your new PRESTO card will be automatically set for "Adult" fares.

If you fit into one of the following categories, you must register your PRESTO card at a customer service outlet and provide proof of eligibility.

PRESTO CARD

- Get It
- Use It
- Check It
- Reload It

NEWS

PROJECT PARTNERS

LINKS

CONTACT US

Check It

The PRESTO System will be rolled out in four stages across the GTA and Ottawa. Please see "When is PRESTO coming" to find out when the PRESTO card will be available in your area.

You can check your remaining fare card balance or your pass expiry date as you travel. Just like a credit card, you can also get a transaction history of card use.

Here are a few ways to check your card:

- When you travel, and tap your card to the card reader, the machine will briefly display the remaining balance or pass expiry date.
- You can also use a balance checker machine. Hold your card to the PRESTO logo on the device. Your remaining balance and transaction history will appear – a list of the last few things you did with the card.
- A customer service representative at a PRESTO counter is equipped to reload your card, also check your balance and transaction history, and can even give you a printout of that information.
- Registered cardholders may check their card history via the PRESTO website or by phone.

PRESTO CARD

- Get It
- Use It
- Check It
- Reload It

NEWS

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Reload It

Each time you ride, a fare is deducted from the e-purse stored on your card. Before you run low on funds, you will need to reload your card.

Here are a few ways to do that:

In person at:

- GO Transit train stations and bus terminals
- Local transit customer service outlets (outside TTC)
- A network of retail outlets (outside the City of Toronto)

In addition, registered cardholders may add value to their e-purse:

- On the PRESTO website using a credit card
- By calling the PRESTO call centre using a credit card

With your registered card, you can also arrange for automatic reloads (payments) to the e-purse so your card will always be ready when you are. With the autoload option, money is transferred from your bank account or credit card to your fare card when the balance gets down to a pre-determined level, such as $10.

PRESTO CARD

- Get It
- Use It
- Check It
- Reload It

NEWS

PROJECT PARTNERS

LINKS

CONTACT US

Project partners

The Ontario Ministry of Transportation (MTO), together with GO Transit and eight municipal transit systems in the Greater Toronto Area (GTA) and Hamilton have developed a new, regional system for collecting transit fares.

GO Transit

Brampton Transit

Burlington Transit

Durham Region Transit

Hamilton Street Railway Company

Mississauga Transit

Oakville Transit

Toronto Transit Commission

York Region Transit

OC Transpo (Ottawa)

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Accenture is heading up a team of industry leaders that will build, operate, and maintain the integrated fare system over the next 10 years.

Links

Project Partners

The Ontario Ministry of Transportation (MTO)
GO Transit
Brampton Transit
Burlington Transit
Durham Region Transit
Hamilton Street Railway Company
Mississauga Transit
Oakville Transit
OC Transpo (Ottawa)
Toronto Transit Commission
York Region Transit

Accenture
Metrolinx

Public Transit

American Public Transportation Association - APTA
Canadian Urban Transit Association - CUTA
Ontario Community Transportation Association - OCTA
List of public transit systems in Ontario (provided by MTO)
The Smart Commute Association

Urban Issues

Canadian Urban Institute

Step 3: Report Writing

- Depending on scope, allow time to pull together information gathering into a report format

- Table of Contents
  - Project / Program Summary
  - Description of Business Processes
  - Description of Technology
  - List of the Data Elements
  - Privacy Analysis

Step 4: Review

- Create hard timelines for program area to provide input, questions and commentary
- Allow time to re-write the PIA with an additional review cycle (not with the program area)

Step 5: Consultation / Presentation of Results

- Consider ownership and responsibility
- Stakeholders to consider:
  - Project Sponsor
    - Accountable for project, including conducting PIA
  - Chief Information Officer
    - Accountable for identifying corporate IT risks and providing advice and guidance to Project Sponsor on the performance of appropriate privacy due diligence, and on potential consequences of accepting privacy risks.
  - Office of the Chief Information and Privacy Officer (OCIPO)
    - Review and input on PIAs, sits at the Corporate ACT approvals table
  - Regulatory Body (IPC)
    - Sets Practice Standards, provides tools and education
    - May evaluate / review / comment on PIAs

Module 3

- Case Study #1: Fingerprint Scanner
- Case Study #2: Tracking
- Case Study #3: Scanner

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1st March 2007

Dear Parents / Carer,

We are in the process of updating our library to allow the children to get maximum benefit from it. An electronic system has been chosen by the school which will record a set of information making it possible for us not only to keep a tally on the books which go out, but also valuable information that indicates to us; what books children are reading, how often they change them and any areas where we need to supply a demand.

The 'Junior librarian' system comes highly recommended by the authority. The registration process involves taking a thumbprint of the whole school community. We have no legal requirement to ask for permission as we will not be breaching any data protection regulations, and also letters of permission are not always returned in full, therefore we would not be operating a fully working and efficient system.

The system will be exciting to use for your children and will help them to secure and sustain a love of books and reading. I have added more information for you which is attached.

We hope to implement the system after the Easter half term and if you do have any other questions please do not hesitate to contact me.

Yours sincerely,

Mrs. D. Humphrey
Headteacher.


Previous Entry Alert
This card holder was granted entry at 11:22:15 AM
OK
Sex:
MALE
Status:
VISITOR
Recent Visits:
1
Deny Entry
TODAYS NOTES
Technologies for
Safer People, Premises, & Communities
www.treoscope.com

The Deliverable

- A PIA that includes:
  - Identification of the data elements
  - A list of the organizations / departments involved
  - A list of the business processes
  - A diagram of data flows within the system
  - Privacy analysis

Data Elements

- Examine each data element, and consider whether it is a justifiable collection, use and /or disclosure of personal information
- Describe the purpose for collection and the method of collection

How do you get a list of data elements?

- Table 1 (handout)
- Table 2 (handout)

Roles and Responsibilities

- Identify all departments / roles and responsibilities that will have access to personal information
- Identify what external organizations may have access: service providers, agents, vendors

How do you get a list of roles and responsibilities?

- Table 4 (handout)

Business Processes

- Start with collection
- Identify all uses of personal information with the same organization that collected it
- Identify all disclosures of personal information outside the organization that collected it

How do you get a list of business processes?

- Table 5 (handout)

Data Flow Diagrams

- Start with the source: data subject
- Detail where information goes in and out of an organization and department
- Use a narrative where necessary

How do you create a data flow diagram?

- Table 6 (handout)

Privacy Analysis

- **What is the business rationale?**
  - **Is there another more privacy-friendly way to achieve the same objective?**
- What is the authority for collection?
- Are there personal information banks?

How do you conduct privacy analysis?

- Table 7 (handout)

Module 4

- Summary
- Lessons Learned

Summary

1. Privacy is a highly contextual value
2. Privacy doesn't end with a PIA
3. Privacy is a team effort

Lessons Learned

- Product and service is already up and running and collecting personal information
- No documentation
- “Privacy is an exercise in futility”

Resources

- Treasury Board (Federal), http://www.tbs-sct.gc.ca/pgol-pged/piatp-pfefvp/index-eng.asp
- Information and Privacy Commissioner of Ontario (IPC), http://www.ipc.on.ca
- GO-ITS Security Standards, http://www.gov.on.ca/mgs/en/IAndIT/STEL02_047303.html

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