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## Privacy Management Program Overview

On February 1, 2023, all public bodies that are governed by FIPPA became subject to a requirement to establish, implement and maintain a Privacy Management Program (PMP).

This new requirement, which appears in section 36.2 of the Act, requires public bodies to review and comply with directions issued by the Ministry of Citizen's Services ("Ministry").

### **FIPPA, section 36.2**

*The head of a public body must develop a privacy management program for the public body and must do so in accordance with the directions of the minister responsible for this Act.*

The notion of a PMP is not unique to FIPPA. The fundamental purpose and objective of this type of program is to ensure that all members of an organization are aware of and equipped with the necessary knowledge and resources for privacy compliance.

The required elements of a PMP under FIPPA are set out in the Privacy Management Program Direction ("PMP Direction").

### **Privacy Management Program Direction**

1. *The designation, by the head of a public body, of an individual(s) to be responsible for the following:
  - a. *being a point of contact for privacy-related matters such as privacy questions or concerns;*
  - b. *supporting the development, implementation, and maintenance of privacy policies and/ or procedures; and*
  - c. *supporting the public body's compliance with FIPPA.**
2. *A process for completing and documenting privacy impact assessments as required and information-sharing agreements as appropriate under FIPPA.*
3. *A documented process for responding to privacy complaints and privacy breaches.*
4. *Privacy awareness and education activities to ensure employees are aware of their privacy obligations. These activities may be scaled to meet the volume and sensitivity of personal information in the custody or under the control of the public body and should be undertaken at timely and reasonable intervals.*
5. *Privacy policies and any documented privacy processes or practices available to employees and where practicable, to the public.*
6. *Method(s) to ensure that service providers are informed of their privacy obligations (e.g., awareness activities, contractual terms that address privacy obligations).*
7. *A process for regularly monitoring the Privacy Management Program and updating it as required, to ensure it remains appropriate to the public body's activities and is compliant with FIPPA.*

A compliant PMP is one that provides for each of the seven elements listed in the PMP Direction. School districts should also be aware that the PMP Direction may change from time to time and new requirements may be adopted at the discretion of the Ministry. It is important that school district Privacy Officers remain familiar with changes and updates to this legislation.

In order to succeed, a PMP requires the commitment of the senior leadership team to ensure that there is an organization-wide understanding and commitment to fostering a culture that respects and upholds every individual's right to privacy.

All district employees, including school administrators, department leaders, educators, support staff and volunteers, need to understand their specific roles in protecting the personal information used in their daily work.

## RESOURCES

- The guidance document **Accountable Privacy Management in BC's Public Sector** details OIPC expectations for the PMP.
- The provincial government has released **Privacy Management Program Guidance for BC Public Bodies** to help organizations understand their PMP responsibilities.