

Section 275 of the *Election Act* requires all individuals and organizations who wish to access personal information available under the *Election Act* in records held by Elections BC to first file an acceptable privacy policy with the Chief Electoral Officer.

This table outlines the minimum acceptance criteria for a privacy policy submitted to the Chief Electoral Officer. Elections BC makes privacy policy templates that meet the acceptance criteria available on its website. Individuals and organizations who do not wish to use a template may submit a privacy policy they have developed provided it addresses all areas of “Required content” and meets the “Minimum criteria for acceptance”.<sup>1</sup> Only after a privacy policy is accepted by the Chief Electoral Officer will Elections BC provide access to records containing personal information.

Subjects designated with an “\*” are not required for a privacy policy submitted by an individual who views personal information at an Elections BC office and does not retain a copy of the personal information.

Subject	Required content	Minimum criteria for acceptance	Notes
<b>Scope</b>	Who is covered by the privacy policy?	<ul style="list-style-type: none"> <li>▪ Identifies individual or organization that is covered by the policy (e.g. political party, candidate, other individuals )</li> <li>▪ Acknowledges that it applies to all individuals or organizations working for the signatory (paid or unpaid) who may have access to the personal information</li> <li>▪ Must not include individuals or organizations that are not entitled to have access to the personal information (e.g. federal or local affiliates of a provincial registered political party)</li> </ul>	
	What personal information does it apply to?	<ul style="list-style-type: none"> <li>▪ Applies to all personal information (as defined by the <i>Freedom of Information and Protection of Privacy Act</i>) disclosed by Elections BC under the <i>Election Act</i></li> </ul>	
<b>Restrictions on use</b>	Who can use personal information covered by the policy?	<ul style="list-style-type: none"> <li>▪ Limits use to individuals/organizations that are covered by the privacy policy</li> </ul>	Do not need to name them in policy. See “Tracking of distribution”.
	Does it limit use to purposes of the <i>Election Act</i> and provincial electoral purposes?	<ul style="list-style-type: none"> <li>▪ Limits use to the purposes of the <i>Election Act</i> and Electoral Purpose for Access to and Use of Personal Information Regulation</li> <li>▪ Prohibits use for commercial purposes</li> </ul>	

<sup>1</sup> Individuals requesting access under the *Recall and Initiative Act* to records containing personal information must use the Privacy Policy Template for Individuals (00155).

Subject	Required content	Minimum criteria for acceptance	Notes
<b>Responsibilities</b>	Who is responsible for the security and integrity of the personal information?	<ul style="list-style-type: none"> <li>▪ Everyone subject to the policy is responsible for the security and integrity of the personal information</li> <li>▪ Everyone subject to the policy is responsible for safeguarding personal information against accidental or unauthorized access, disclosure, use, modification and disposal</li> </ul>	
<b>Security*</b>	Does it set out reasonable security arrangements?	<ul style="list-style-type: none"> <li>▪ Must meet both 'a' and 'b' criteria, below</li> </ul>	
	a. What risks does it look to address?	a. Unauthorized access, collection, use, disclosure or disposal of personal information contained in a record referred to in s.275 of the <i>Election Act</i>	
	b. What security arrangements does it describe to address those risks?	b. Describes administrative, technical and physical measures to address risks	
<b>Disposition of personal information*</b>	What happens to the personal information when it is no longer needed?	<ul style="list-style-type: none"> <li>▪ Requires personal information to be securely destroyed (paper shredded, electronic information securely deleted/destroyed), and/or</li> <li>▪ Requires personal information to be returned to Elections BC</li> </ul>	
	What is required to be tracked regarding disposition of personal information by signatory?	<ul style="list-style-type: none"> <li>▪ When it is destroyed/returned to Elections BC</li> <li>▪ How it is destroyed/returned to Elections BC</li> <li>▪ Who destroyed/returned it to Elections BC</li> </ul>	Must track this information, but not routinely required to provide this information to Elections BC except as part of a compliance audit.
<b>Tracking of distribution*</b>	What is required to be tracked regarding distribution of personal information by signatory?	<ul style="list-style-type: none"> <li>▪ Who is given access/copy</li> <li>▪ When they are given access/copy</li> <li>▪ What are they given access to/copy of</li> <li>▪ How is that access/copy provided</li> <li>▪ Confirmation users agree to abide by policy</li> <li>▪ When is access withdrawn and/or personal information returned to signatory/securely destroyed</li> </ul>	Must track this information, but not routinely required to provide this information to Elections BC except as part of a compliance audit.

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<b>Privacy breach*</b>	What is considered a privacy breach?	<ul style="list-style-type: none"> <li>▪ Loss of personal information</li> <li>▪ Theft of personal information</li> <li>▪ Unauthorized access to personal information</li> </ul>	
	What must be done in the case of a privacy breach?	<ul style="list-style-type: none"> <li>▪ Contain breach</li> <li>▪ Identify source of breach</li> <li>▪ Report to Elections BC and Office of the Information and Privacy Commissioner</li> <li>▪ Notify affected individuals if certain risk factors are present<sup>^</sup></li> <li>▪ Retrieve personal information (if possible)</li> <li>▪ Document cause of breach</li> <li>▪ Review policies, procedures, practices for improvements</li> </ul>	<sup>^</sup> See the Breach Notification Assessment Tool in the Office of the Information and Privacy Commissioner guidance document <a href="#">Privacy Breaches: Tools and Resources</a> .
<b>Compliance audit*</b>	Rights of the Chief Electoral Officer	<ul style="list-style-type: none"> <li>▪ Acknowledges right of Elections BC to audit compliance</li> </ul>	
<b>Duration/ termination</b>	When does the policy come into force?	<ul style="list-style-type: none"> <li>▪ Comes into force when accepted by Elections BC</li> </ul>	
	When does the policy terminate?	<ul style="list-style-type: none"> <li>▪ Registered political party: terminates six months after the return of the Writs of Election for the next provincial general election, or if superseded by a subsequent privacy policy accepted by the Chief Electoral Officer</li> <li>▪ Candidate/former candidate: terminates when the Writs of Election for the next provincial general election are issued, or if superseded by a subsequent privacy policy accepted by the Chief Electoral Officer</li> <li>▪ Individual: terminates when the personal information is returned to Elections BC or securely destroyed in a manner acceptable to Elections BC</li> </ul>	An MLA is a former candidate.
<b>Declaration and signature block</b>	Declaration	I, the undersigned, hereby declare that: <ul style="list-style-type: none"> <li>▪ I understand and will abide by this privacy policy as submitted; and</li> <li>▪ The <i>Election Act</i> provides significant penalties for making a false or misleading statement or for improper use of personal information.</li> </ul>	No variation permitted.

Subject	Required content	Minimum criteria for acceptance	Notes
	Signature block - registered political party	<ul style="list-style-type: none"> <li>▪ Name of registered political party on whose behalf the policy is being submitted</li> <li>▪ Name, contact information, signature of a principal officer, principal member, or director of registered political party and date signed</li> <li>▪ Name and signature of witness and date signed</li> </ul>	<p>Must be signed by a principal officer, principal member, or director.</p> <p>Every page of the policy must also be initialed by the signatory.</p>
	Signature block – candidate/former candidate	<ul style="list-style-type: none"> <li>▪ Name, contact information and signature of candidate/ former candidate and date signed</li> <li>▪ Name and signature of witness and date signed</li> </ul>	<p>Must be signed by the candidate/former candidate.</p> <p>Every page of the policy must also be initialed by the signatory.</p>
	Signature block - individual	<ul style="list-style-type: none"> <li>▪ Name, contact information and signature of individual and date signed</li> <li>▪ Name and signature of witness and date signed</li> </ul>	<p>Must be signed by an individual. An organization cannot make a request for records containing personal information.</p> <p>Every page of the policy must also be initialed by the signatory.</p>