

**Policy Sponsor:** COO, CLO and Legal

**Summary:** Establishes the framework for the collection, use, disclosure, retention and destruction of the personal information that OMERS requires to administer pensions, manage investments and hire and pay employees.

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## 1. INTRODUCTION

OMERS is committed to ensuring its employees take all reasonable steps to protect the privacy of members of the OMERS Pension Plans, employees and any other persons whose personal information is in OMERS control. This policy adopts the 10 basic principles articulated in the *Canadian Standards Association Privacy Standards* and addresses the requirements of the *Freedom of Information and Protection of Privacy Act* (FIPPA).

### 1.1 What is personal information?

Personal information is information about an individual which is private in nature and not readily available publicly. It includes a person's date of birth, marital status, salary, home address and home telephone number. Business information such as a person's name, job title and business contact numbers are not personal information.

### 1.2 What personal information does OMERS collect?

Some examples of personal information OMERS may collect include:

- Social Insurance Number (SIN)
- Date of birth
- Employment history or service information
- Salary and benefits/contributory earnings
- Home address and telephone number
- Banking information for the purpose of making payments
- Education and professional background
- Marital status and dependants for survivor benefit purposes
- Health information for disability pensions

## 2. PRIVACY PRINCIPLES

### Principle 1 - Accountability

The Chair of the OAC Board is the “head” of the institution for FIPPA purposes and has delegated to the VP, Legal and Associate General Counsel (the Privacy Officer), the Chair’s powers and authority to administer the requirements of FIPPA. The Privacy Officer monitors and promotes compliance with FIPPA under this policy and related procedures. OMERS [Records Information Management \(RIM\) Policy](#) assigns accountability for the management of different types of records, including records containing personal information. The Privacy Officer works with the RIM office on privacy concerns.

The Privacy Officer’s responsibilities include:

- Responding to written access requests made under FIPPA within 30 days. This does not include ordinary course written or oral requests relating to members, which are handled by Pension Services under the OMERS Act 2006;
- Determining the method of disclosure of personal information;
- Responding to requests for correction of personal information under FIPPA;
- Calculating and collecting fees charged to persons making FIPPA requests;
- Providing access by the public to policies and procedures manuals;
- Reporting annually to the Privacy Commissioner on FIPPA requests received.

The Privacy Officer must also ensure that personal information banks maintained by OMERS that are organized by individuals’ names or identifying numbers or symbols:

- Contain a directory of records setting out the types of personal information under OMERS control;
- Include records of any use/disclosure of personal information in the bank; and
- Record any new use/disclosure not specified in the directory of records and attach the record of new use to the personal information.

### Principle 2 - Identifying Purposes of Collection

OMERS collects personal information about members to:

- Administer the Plans;
- Pay pensions to members, their spouses and beneficiaries;
- Meet statutory reporting requirements, including those in the *Pension Benefits Act* and *Income Tax Act*; and
- Communicate Plan information to members;

OMERS collects personal information about employees, job applicants and individuals in the course of investment activities to:

- Manage recruitment and employment relationships;
- Administer employee benefits;
- Verify qualifications and suitability for positions; and
- Meet statutory reporting requirements.

### **Principle 3 – Obtaining Consent**

Members' consent to collect personal information is implied upon enrollment in the OMERS Pension Plans as part of a member's employment with his or her employer. It can not be revoked since participation in the Plans is mandatory for all permanent, full-time employees of participating employers pursuant to the OMERS Act 2006 and for other than continuous full time employees who have enrolled in the Plans.

For employees and applicants for employment, consent to collect personal information is obtained during the recruitment process in accordance with the [Recruitment Policy](#).

For investment management activities, consent to collect personal information of individuals is obtained by contract when the person agrees to act as an officer or director or otherwise participate in OMERS investments.

OMERS collects information relating to personal trading activities to comply with securities laws.

### **Principle 4 - Limiting Collection**

OMERS limits the collection of personal information to only that which is necessary for the purposes set out above and not for any other purpose.

### **Principle 5 - Limiting Use, Disclosure and Retention**

OMERS limits the use of member personal information to:

- Creating and maintaining a member's database;
- Calculating service purchase costs and past service pension adjustments;
- Preparing and distributing personalized member confirmation and communication documents including the annual Pension Reports, Benefit Application Forms and Beneficiary Election Forms;
- Preparing pension and benefit estimates;
- Verifying eligibility of claims for benefit entitlement;
- Calculating and paying pension benefits and issuing tax receipts;
- Verifying identity when responding to inquiries or requests for information from members by mail, phone or E-mail;
- Meeting statutory reporting requirements;
- Preparing Plan Valuation and Experience Studies; and
- Facilitating general administration of the Plans.

OMERS limits the use of personal information of employees and others to:

- Creating and maintaining an employee database;
- Creating and maintaining a corporate subsidiary database;
- Calculating and paying employee salary, benefits and other compensation;
- Verifying identity, qualifications and creditworthiness and assessing suitability
  - for hiring or promotion; and
  - for serving as an officer, director, or other participant in an OMERS investment; and
- Meeting statutory reporting requirements.

Personal information may only be shared with a member's employer(s) and/or third parties when it is necessary for the uses set out above. Third parties may include a financial institution to whom payments are required to be made, government agencies in accordance with their

statutory authority, another pension plan (on transfer of a pension), or service providers (OMERS actuary, auditor, legal advisor, third party payroll processor, etc). Whenever personal information is transferred, it must be done in accordance with statutory requirements or contractual arrangements that impose confidentiality obligations on the recipients.

OMERS has procedures regarding the retention and destruction of personal information, incorporated into the [RIM Policy](#). Personal information is maintained only as long as it is needed to fulfill the uses set out above.

### **Principle 6 - Accuracy**

Employees must make every effort to ensure that personal information is accurate, up-to-date and complete.

OMERS requires employers to provide accurate, up-to-date and complete personal information with respect to active members who are employed by such employers.

OMERS Internal Audit Branch conducts periodic audits to test the accuracy of personal information regarding retirees who are receiving an OMERS pension.

### **Principle 7 - Safeguards**

OMERS security infrastructure is designed to protect personal information under its control from theft, loss, accidental release or other unauthorized access, use, disclosure or destruction. Administrative, technical and physical safeguards designed to ensure the security and confidentiality of personal information are set out in the [Code of Conduct](#), [Recruitment Policy](#), [RIM Policy](#) and [Information Technology Security Policy](#). These policies stipulate that only those individuals who need personal information for the performance of their duties may have access to it and all reasonable steps must be taken to protect OMERS records containing personal information.

OMERS has a secure e-correspondence protocol for communication with participating employers about members which ensures secure communication of personal information and meets Financial Services Commission of Ontario's policy on Electronic Communication Between Plan Administrators and Plan Beneficiaries. E-mail communication with participating employers containing personal information is not permitted outside of these secure protocols.

### **Principle 8 - Openness**

Information about OMERS policies and procedures relating to privacy is available at [www.omers.com](http://www.omers.com), on OZONE and upon request from the Privacy Officer. The Privacy Officer must make this policy and OMERS annual report to the Privacy Commissioner available at OMERS head office to the public.

Requests for information from the SC, sponsors and stakeholders must be administered through the [Communication and Information Policy](#).

### **Principle 9 - Individual Access**

If requested orally or in writing and on appropriate verification of identity, OMERS will provide a member with details of the collection, use and disclosure of his or her personal information and provide access to that information. Members are to be encouraged to review the information and report any inaccuracies or incomplete information.

OMERS will provide an employee or other person with details of the collection, use and disclosure of his or her personal information and provide access to that information only upon written request. Any person may challenge the accuracy and completeness of the information and have their personal information amended as appropriate.

### **Principle 10 - Questions or Concerns**

Any questions or concerns regarding OMERS Privacy Policy can be addressed to:

OMERS Privacy Officer  
One University Avenue, Suite 800  
Toronto, Ontario M5J 2P1

Phone: (416) 814-6569

E-mail: [privacy@omers.com](mailto:privacy@omers.com)

### **HISTORY**

Effective Date:	August 6, 2008
Approval Date:	July 4, 2008 by Privacy Program Steering Committee
Next Scheduled Date for Review:	June 2009