

## CITY OF HAMILTON

**HEALTHY & SAFE COMMUNITIES DEPARTMENT**  
**(PUBLIC HEALTH SERVICES – HEALTHY FAMILIES DIVISION — LOCATION - DAVID BRALEY HEALTH SCIENCES CENTRE, 100 MAIN ST. W., 5<sup>th</sup> FLOOR)**

**PHS PRIVACY OFFICER**

**SUMMARY OF DUTIES**

Reporting to the Manager, Health Equity Program, the PHS Privacy Officer is accountable to the Medical Officer of Health as Health Information Custodian and is responsible for supporting activities within Public Health Services (PHS) related to compliance with the Personal Health Information Protection Act, 2004 (PHIPA) and the Municipal Freedom of Information and Protection of Privacy Act RSO 1990 (MFIPPA)

**GENERAL DUTIES**

**Departmental PHIPA Functions:**

Provides advice and guidance with respect to the protection, collection and authorized disclosure of personal health information, including personal information to support the administration and implementation of PHS programs, services and information systems.

Researches, recommends and assists in the implementation of policy, guidelines, forms and procedures for the collection of personal health information, its use within PHS programs and applications, disclosure to the public, and the processing of access applications.

Coordinates the execution of Privacy Assessments (including Privacy Impact Assessments, Privacy Audits and Data De-identification Risk Assessments) for new, existing, or enhanced services, business processes and technologies in collaboration with program managers, Legal Services, IT Security Team, Risk Management, Procurement and IT Contract Management and vendors to support compliance with PHIPA, MFIPPA and the HPPA.

Investigates and leads the response to reported PHIPA breaches and privacy incidents.

Develops and delivers comprehensive training, communication and awareness programs for PHS staff on PHIPA matters, in conjunction with the PHS Education Coordinator and the PHS Learning and Development Plan. Conducts ad hoc training sessions for program areas on demand.

Advises on privacy best practices, including the application of privacy by design techniques to ensure privacy is embedded into business practices and the design and operation of PHS tools and applications, processes and data management.

Prepares the statutory annual report on PHIPA activities to the Information and Privacy Commission/Ontario.

Analyzes and prepares the PHS response to applications made under PHIPA and related legislation.

Liaises with PHS program areas to implement business process changes as appropriate to improve privacy protection practices.

Liaises with program managers and the City Clerk's Division on joint MFIPPA and PHIPA requests to ensure conformity of PHIPA processes with corporate access and privacy policies and procedures, where applicable.

Calculates fees to be charged in accordance with PHIPA.

Reviews, identifies, and analyzes the impact of developments and amendments to legislation, regulations, and decisions of the Information and Privacy Commissioner/Ontario, for senior management and staff.

Assesses PHS implications, recommends appropriate action and implements change, ensures privacy program is reflective of current requirements.

Recommends modifications to PHIPA access requests or the routine disclosure of information to provide effective customer service, as required.

Identifies applicable statutory exemptions and exceptions pertaining to access applications under PHIPA.

Consults with the Program Manager, liaises with legal counsel and prepares representations and submissions in response to mediations or appeals under PHIPA.

**Departmental Privacy Program Functions:**

Supports the development and implementation of innovative PHIPA training and its delivery to ensure current and new business processes relating to personal health information are followed, as required.

Provides technical advice and guidance to PHS staff and senior leadership with respect to the protection, collection and authorized use and disclosure of personal health information and coordinates the work of the Information Privacy and Security Committee.

Assists the Program Manager with reported privacy breaches/incidents and provides advice to mitigate their impact.

Participates in meetings, talks forces, working groups, and special projects, as assigned.

Completes and coordinates the execution of privacy impact assessments for information systems and applications, in collaboration with program managers.

Supports the maintenance of a comprehensive PHS privacy framework and program to support the operation of electronic information systems and applications, including breach protocols, privacy risk assessments, audit protocols and online training materials.

Ensures compliance of PHS electronic information systems and applications with privacy legislation and corporate and PHS privacy policies and procedures, including Personal Information Protection and Electronics Document Act (PIPEDA), PHIPA, MFIPPA, and other related legislation.

Liaises with the City Clerk's Division on any PHS issues relating to personal information.

Liaises with Legal and IT Security on issues related to contracts/agreements, duty to disclose, and new applications involving PHI.

Reviews, identifies and analyzes the impact of emerging federal and provincial legislation pertaining to the collection, use and disclosure of personal health information

**Quality Assurance and Due Diligence Activities:**

Undertakes periodic audits of PHS privacy practices and systems, in order to identify gaps.

Assists with the development of PHIPA compliance processes and makes recommendations for their improvements, as required.

Analyzes data requests for consistency with privacy principles and legislation, including reviewing the details of the data requests, their purposes and authority under the legislation.

Assists with the development of PHIPA privacy audit standards, guidelines and processes in accordance with PHS access and privacy policies and procedures, where appropriate.

Ensures information, including personal and confidential information, is handled in accordance with legislation and corporate policies, procedures, standards and bylaws.

Collaborates with the City Clerk's Office on matters relating to corporate privacy policies and procedures on personal information.

**Liaison, Communication and Customer Service Activities:**

Collaborates with the PHS Communications Officer to ensure that the privacy and confidentiality of personal health information is maintained throughout communications with print, broadcast and social media.

Liases and negotiates responsibilities with Corporate Services including City Clerk's Office, Legal Services, Risk Management and Information Technology

Assists with the creation of training materials specific to the PHS privacy program.

Makes presentations on privacy, confidentiality, access and information security to PHS staff and provides groups with one-on-one support and training (e.g. workshops).

Participates in meetings, task forces, work groups and special projects, as assigned.

Ensures that services provided meet City of Hamilton customer service standards.

Researches, prepares and responds to correspondence and inquiries from external sources and internal customers at the departmental level.

**Other Duties:**

Works in accordance with the provisions of applicable Health and Safety legislation and all City of Hamilton corporate and departmental policies and procedures related to Occupational Health and Safety.

Performs other duties as assigned, in accordance with PHS objectives and priorities.

**QUALIFICATIONS**

1. University degree in a related field preferred e.g. public administration, business administration plus demonstrated experience in the application of information privacy laws, access, release of information, and information technology in a health care setting or an equivalent combination of education and relevant experience.
2. Knowledge of federal and provincial legislation relevant to the privacy and security of personal information and personal health information that is collected, used and disclosed by public health programs and services, including and not limited to the Personal Health Information Protection Act, 2004 (PHIPA), Freedom of Information and Protection of Privacy Act (FIPPA), Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and the Health Protection and Promotion Act (HPPA).
3. Demonstrated knowledge of health-related privacy issues is preferred.

4. Membership with the International Association of Privacy Professionals (IAPP). Must have Certified Information Privacy Professional Canada (CIPP). Certified Information Privacy Manager (CIPM) and Certified Information Privacy Technologists (CIPT) an asset.
5. Thorough knowledge of Health Information Management and experience with electronic medical record systems.
6. Working knowledge of the statutory responsibilities of Public Health Services and the Medical Officer of Health.
7. Strong research skills in order to investigate and make recommendations to improve the privacy, security and confidentiality of business processes and address complex legal and risk management situations related to privacy and access.
8. Excellent interpersonal, negotiation and mediation skills.
9. Superior oral and written communications skills with the ability to simplify complex legal material for a variety of audiences.
10. Knowledge of change management and adult learning principles and experience in designing and delivering training programs.
11. Excellent organizational skills and attention to detail.
12. Proficiency with MS Office (Word, Excel, PowerPoint, Outlook, Visio, and Project).

**THE INCUMBENT SHALL COMPLY WITH ALL HEALTH AND SAFETY POLICIES AND PRACTICES FOR THIS POSITION AND THE WORKPLACE.**

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