

## PRIVACY AND CONFIDENTIALITY POLICY

### Purpose

Teachers' Pension Plan Trustee Inc. is committed to taking all reasonable steps and precautions to protect the privacy of all members, retirees, and beneficiaries whose Personal Information is under the administration of TPPTI. TPPTI will adhere to the privacy protection provisions of applicable legislation relating to the collection, use, disposal, storage and disclosure of Personal Information. TPPTI utilizes, as a guideline, the principles established within the Canadian Standards Association Model Code for the Protection of Personal Information supported by the Personal Information Protection and Electronic Documents Act.

In addition to TPPTI's dedication to the protection of Personal Information, the Trustee recognizes the requirement to protect confidential non-personal information of TPPTI and the Plan and Fund it administers. These terms are included in TPPTI's Code of Conduct and Conflict of Interest Policy.

TPPTI shall impose the same standards and controls with any of its service providers that are or may be in possession of Personal Information or any other confidential and sensitive information, within any executed contracts or service agreements undertaken with said service providers. The purpose of this Privacy and Confidentiality Policy is to ensure that TPPTI meets its legislated and ethical obligations in its management and protection of Personal Information.

### Definitions

Board	the Board of Directors of TPPTI
Board Director/Director	a member of the Board
Chair	chairperson of the Board
Committee	the internal committees established by the Board, being Investment; Audit and Actuarial; Governance, Communications and Member Services
Committee Chair	chairperson of a Committee
Confidential Information	All non-public information entrusted to or obtained by a person to whom this Privacy and Confidentiality Policy applies by reason of their

role with TPPTI. It includes information that might be harmful to TPPTI and/or its key stakeholders if disclosed, such as:

- Personal Information;
- Information relating to TPPTI's business and affairs, including proprietary, technical, business, corporate finance and structure, investment, financial, human resources and other information;
- Information relating to Third Parties TPPTI deals with, which TPPTI may be under an obligation to maintain as confidential;
- Proprietary and confidential records belonging to TPPTI;
- Non-public information about discussions and deliberations relating to business issues or decisions, between and among employees, service providers, agents, Committee members and Board Directors.

External Parties	Includes any individual(s) and/or corporation(s) or other entities that are not a member, pensioner, beneficiary, or employer of current or previous members, of the Teachers' Pension Plan nor any Third Parties currently contracted with TPPTI.
Fund	Teachers' Pension Fund
NS Pension	Nova Scotia Pension Services Corporation
NS Pension Director	a Board Director who also sits on the board of directors of NS Pension
Personal Information	Includes information about an identifiable individual, for example, date of birth, Social Insurance Number, income, home address, marital status, contributions, salary, eligible pensionable service, and medical information, but does not include the name, title, business address, business telephone number, or business e-mail address of a member, pensioner, or beneficiary of the Plan.
Plan	Teachers' Pension Plan
Plan Membership/ Plan Members	active and deferred members, pensioners and survivors
Sponsors	Province of Nova Scotia and Nova Scotia Teachers Union
Third Parties	Includes any individual(s) and/or corporation(s) currently contracted under a service agreement with TPPTI, including, but not limited to, NS Pension.
TPPTI /Trustee	Teachers' Pension Plan Trustee Inc.

## Confidentiality

Directors shall not disclose, divulge or make accessible any Confidential Information belonging to TPPTI or information that they have gained as a result of their participation as a Director of TPPTI. This disclosure includes disclosure to relatives, friends, business and professional associates, union members, but does not include disclosure of relevant information to the sponsors. This Policy is not intended to prevent disclosure where disclosure is required by law.

Directors shall refrain from discussing matters relating to the operation, administration of TPPTI in public places so as to avoid the inadvertent disclosure of Confidential Information to non-interested persons. Further, Directors shall refrain from leaving written information concerning the operation of TPPTI in any place where it may be seen or viewed by persons who otherwise should not have interest in the material. Conversations between Directors shall not take place over speakerphones where the Confidential Information may be heard by persons who are otherwise not entitled to the Confidential Information.

A Director who resigns, is removed, is disqualified or whose term expires without being re-appointed, and the personal representative of deceased Directors, shall forthwith return to TPPTI all records, books, accounts, documents, material of any nature of kind retained by the former Director from when acting as a Director,

TPPTI shall impose the same standards and controls with any of its service providers that are or may be in possession of Confidential Information, including Personal Information, and any other confidential and sensitive information, within any executed contracts or service agreements undertaken with said service provider. Such contracts and/or agreements shall include details on how Confidential Information related to TPPTI and under the possession and control of TPPTI and/or NS Pension is delivered, stored, and destroyed by the applicable service provider with the ability of the previous controls to be inspected by TPPTI and/or NS Pension.

## Application

This Privacy and Confidentiality Policy applies to:

- all Directors
- all Confidential Information in the custody and control of TPPTI

## Principles

(a) Accountability:

- TPPTI shall be accountable for all information under the control of TPPTI, including information disclosed to Third Parties for processing.
- The Chair is accountable for TPPTI's compliance with this Privacy and Confidentiality Policy.

- External Parties requesting non-public Plan or Fund information will be directed to the Chief Executive Officer of NS Pension who will evaluate the request, respond directly, or consult with the Chair on an appropriate response.
- (b) Identifying Purposes of Collection:
- TPPTI and/or NS Pension shall identify, where reasonable, the purpose for which the information is collected at or before the time the information is collected.
  - The purposes for which TPPTI and/or NS Pension collects Personal Information shall be those that would be considered reasonable given the responsibilities of TPPTI and NS Pension. Such purposes include, but are not limited to, the administration of the Plan, Fund, pension and benefits of members, pensioners, and their beneficiaries, and communication of information to said parties.
- (c) Obtaining Consent:
- TPPTI and/or NS Pension will obtain consent of the respective member, pensioner, or beneficiary as required or permitted by law for the collection, use, or disclosure of Personal Information, except where consent is not possible and the collection, use, or disclosure is in the best interests of the individual (eg. individual is seriously ill or incapacitated) or prohibited by law.
  - The form of the consent requested may vary depending on the circumstances and the type of Personal Information.
  - A member, pensioner, or beneficiary's consent is implied in situations where reasonable expectations are applicable such as enrolment in the Plan.
- (d) Limiting Collection:
- The collection of Personal Information shall be limited to that which is necessary for the purposes identified by TPPTI and/or NS Pension.
  - Information shall be collected by fair and lawful means.
- (e) Limiting Use, Disclosure, and Retention:
- Personal Information and individual financial information of members, pensioners, and beneficiaries is confidential and shall not be used or disclosed (electronically, verbally, etc.) for purposes other than those for which it was collected, except when:
    - the consent of the same member, pensioner, or beneficiary is received;
    - required or permitted by law;
    - required by currently contracted service providers in connection with services being provided to TPPTI while acting under a duty of confidentiality (e.g. NS Pension, Auditors); or
    - requested by the same member or pensioner's current and/or previous employer and under the following circumstances:
      - The employer would reasonably have or have had such information on file for the member as part of the employer/employee relationship;
      - The requested information was originally provided to NS Pension by the requesting employer as part of NS Pension's regular responsibilities regarding such employer's pension plan; or

- The requested information does not contain Personal Information of current and/or previous members or pensioners that can be connected to pension specific information provided by the member or pensioner directly to TPPTI and/or NS Pension in confidence.
  - Personal Information shall be retained only as long as necessary for the fulfillment of those purposes, and as TPPTI and/or NS Pension requires in order to satisfy potential legal obligations.
- (f) Accuracy of Personal Information:
- TPPTI and/or NS Pension shall keep Confidential Information, including Personal Information, as accurate, complete, and up-to-date as is reasonably possible for the purposes for which it is to be used and for which the Confidential Information is under the control of TPPTI and/or NS Pension.
- (g) Safeguards:
- TPPTI and/or NS Pension shall ensure there are current policies and procedures in place concerning the administration of Confidential Information that is collected, stored, accessed, processed or disposed of within its custody and control. The safeguarding measures include physical and technological controls as well as audit and educational measures.
- (h) Openness:
- TPPTI shall be open about its Privacy and Confidentiality Policy, process and practices.
- (i) Providing Access to Personal Information:
- Upon request and with appropriate verification of identity, TPPTI and/or NS Pension shall provide an individual access to their own Personal Information, except where TPPTI and/or NS Pension is required or permitted by law not to do so, and in conjunction with principle (e) above.
  - Requests for access to an individual's own personal Information may be managed by TPPTI and/or NS Pension. TPPTI and/or NS Pension may require a reasonable amount of time to process requests for access as TPPTI and/or Administrator staff are required to perform a diligent review prior to providing access to Personal Information.
  - No Director shall divulge any Personal Information unless authorized by the Chair, required or permitted by law to do so, consent is received by the related individual, or as part of a service agreement between TPPTI and Third Parties acting under a duty of confidentiality.
- (j) Questions of Compliance:
- Individuals may contact the Chair with questions or concerns surrounding TPPTI's compliance with the above stated principles.
  - Any suspected or actual breach of this policy must be timely reported to the Chair of the TPPTI.

## Policy Monitoring & Review

The TPPTI Governance, Communications and Member Services Committee is responsible for the development, implementation, and biennial review of this Privacy and Confidentiality Policy.

## Enquiries

Any questions of uncertainty pertaining to the meaning or application of this Privacy and Confidentiality Policy should be referred to the Chair.

## References

- *Teachers' Pension Act*
- *Teachers' Pension Plan Regulations*
- Teachers' Pension Plan 2014 Agreement and associated Amending Agreement(s)
- Joint Trust Agreement (Trustee and Sponsors) and associated Amending Agreement(s)
- Administration Services and Investment Management Agreement
- Code of Conduct and Conflict of Interest
- Board Communications Policy
- Canadian Standards Association Model Code for the Protection of Personal Information
- Canada Pension Plan Investment Board (CPPIB) Privacy Policy
- NS Pension Communications and Disclosure Policy
- NS Pension Privacy Policy
- Personal Information Protection and Electronic Documents Act (PIPEDA)
- PSSPTI Privacy Policy

APPROVED BY MOTION at the Teachers' Pension Plan Trustee Inc. meeting of February 17, 2015, with subsequent amendments approved by motion on:

- February 22, 2016
- November 12, 2019
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