

## **PRIVACY AND CONFIDENTIALITY POLICY**

### **1. POLICY STATEMENT**

The Teachers Pension Plan Trustee Inc. (TPPTI) is committed to taking all reasonable steps and precautions to protect Confidential Information. For the purposes of this policy, Confidential Information includes non-public information of the Plan and the Personal Information of all Teachers Pension Plan members, pensioners, and beneficiaries. 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.

### **2. DEFINITIONS**

For the purposes of this Privacy and Confidentiality Policy, the following definitions shall apply.

<b>Administrator</b>	<b>Nova Scotia Pension Services Corporation as retained by the TPPTI providing administration and investment services. The Administrator may implement their own policies regarding Confidential Information when such Confidential Information is under the administration, possession, and control of the Administrator.</b>
<b>Board Director</b>	<b>Member of the Board of Directors of the Teachers Pension Plan Trustee Inc.</b>
<b>Chair</b>	<b>Chairperson of the Board of Directors of the Teachers Pension Plan Trustee Inc.</b>

<b>Committee</b>	<b>A group comprising of pre-selected Board of Directors and Administrator employees delegated to discuss governance, audit, and investment functions of the TPPTI.</b>
<b>Confidential Information</b>	<p><b>All non-public information entrusted to or obtained by a person to whom this Privacy and Confidentiality Policy applies by reason of his or her role with TPPTI. It includes information that might be harmful to TPPTI and/or its key stakeholders if disclosed, such as:</b></p> <ul style="list-style-type: none"> <li>○ <b>Personal Information;</b></li> <li>○ <b>Information relating to TPPTI' s business and affairs, including proprietary, technical, business, corporate finance and structure, investment, financial, human resources and other information;</b></li> <li>○ <b>Information relating to Third Parties TPPTI deals with, which TPPTI may be under an obligation to maintain as confidential;</b></li> <li>○ <b>Proprietary and confidential records belonging to TPPTI;</b></li> <li>○ <b>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.</b></li> </ul>
<b>External Parties</b>	<b>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.</b>
<b>Fund</b>	<b>Nova Scotia Teachers Pension Fund</b>
<b>Personal Information</b>	<b>Includes information about an identifiable individual, for example, date of birth, Social Insurance Number, income, home address, marital status, contributions, salary, eligible</b>



above-noted material should the Board Director have a need to have access to the said material.

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 the TPPTI and under the possession and control of the TPPTI and/or the Administrator is delivered, stored, and destroyed by the applicable service provider with the ability of the previous controls to be inspected by the TPPTI and/or its Administrator.

#### **4. PURPOSE**

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 Confidential Information, including that of Personal Information.

#### **5. APPLICATION**

This Privacy and Confidentiality Policy applies to:

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

#### **6. 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 the 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 and President of the Administrator who will

**evaluate the request, respond directly, or consult with the Chair on an appropriate response.**

**b. Identifying Purposes of Collection:**

- **TPPTI and/or the Administrator 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 the Administrator collects Personal Information shall be those that would be considered reasonable given the responsibilities of TPPTI and the Administrator. 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 the Administrator 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 the Administrator.**
- **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. Administrator, 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 the Administrator by the requesting employer as part of the Administrator' 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 the TPPTI and/or the Administrator in confidence.
- Personal Information shall be retained only as long as necessary for the fulfillment of those purposes, and as TPPTI and/or the Administrator requires in order to satisfy potential legal obligations.

**f. Accuracy of Personal Information:**

- TPPTI and/or the Administrator 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 the Administrator.

**g. Safeguards:**

- **TPPTI and/or the Administrator 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 the Administrator shall provide an individual access to their own Personal Information, except where TPPTI and/or the Administrator is required or permitted by law not to do so, and in conjunction with principle five (5) above.**
- **Requests for access to an individual' s own personal Information may be managed by TPPTI and/or the Administrator. TPPTI and/or the Administrator 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 Board 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.**

## **7. POLICY MONITORING & REVIEW**

**The TPPTI Governance Committee is responsible for the development, implementation, and bi-annual review of this Privacy and Confidentiality Policy.**

## **8. REFERENCES**

- **Canadian Standards Association Model Code 10 Principles**
- **CPPIB Privacy Policy**
- **NS Teachers Pension Act and Regulations, and Collective Agreements**
- **Nova Scotia Pension Services Corporation Communications and Disclosure Policy**
- **Nova Scotia Pension Services Corporation Privacy Policy**
- **OMERS Corporate Privacy Policy**
- **Personal Information Protection and Electronic Documents Act**
- **Public Service Superannuation Plan Trustee Inc. Privacy Policy**
- **Teachers Pension Plan Trustee Inc. Code of Conduct and Conflict of Interest Policy**
- **Teachers Pension Plan Trustee Inc. Board Communications Policy**

## **9. ENQUIRIES**

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

APPROVED BY MOTION at the Teachers' Pension Plan Trustee Inc. Meeting of February 17, 2015.

Revisions:

APPROVED BY MOTION at the Teachers' Pension Plan Trustee Inc. Meeting of February 22, 2016.