CITY OF Thunder Bay Superior by Nature		SOP Name	Notice of Collection – Personal Information
		SOP Number	OCC-06-01
		Effective Date	October 17th, 2025
Section	Archives	Supersedes Date	
		Approval	

Procedure Statement

This procedure is to be used as a complementary guidance document to Corporate Policy 03-03-05 Access and Privacy when creating a Notice of Collection of Personal Information. Compliance with this procedure ensures municipal compliance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* and where applicable the *Personal Health Information and Protection of Privacy Act (PHIPPA).*

This procedure must be followed on all public facing documents or electronic methods such as online webpages or cameras that collect Personal Information directly and indirectly on behalf of the City of Thunder Bay. Other common examples will include the following:

- Registration or request for service forms and online web pages for programs
- Billing and payment forms and submission methods.
- Planning documents related to planning and building.

Please use the template below as a guide for constructing your Notice of Collection. While you may change the wording to suit your purpose and for clarity, all drafts require Privacy review prior to publication to ensure they meet legislated requirements.

> The City of Thunder Bay collects personal information for the purpose of **[1. Purpose of Collection]**. This collection is authorized under **[2. Authority for Collection]**. The information provided will be used to **[3. Use of Personal Information**]. Information collected will only be used as described or for a consistent purpose and will not be shared with Third parties except where required by law or with your explicit consent.
>
> For more information about this collection of personal information, including access and collection, please contact **[4. Contact information]**.

Example of a properly configured collection statement:

> The City of Thunder Bay collects personal information for the purpose of **conducting the Municipal Election.** This collection is authorized under ***the Municipal Elections Act*, 1996, (s) 33 and 35.** The information you provide will be used to **determine candidacy for the 2026 Municipal Election and share relevant information about the Election.** Information collected

will only be used as described or for a consistent purpose and will not be shared with Third parties except where required by law or with your explicit consent.

For more information about this collection of personal information, please contact the **Returning Officer/City Clerk in the Office of the City Clerk at 807-625-2230**

Review/Alteration of Statements

Statements should be reviewed by departments at least every 2 years to ensure they reflect the appropriate purpose of collection, retention and contact information.

If a statement is altered in a way that affects the control and custody of Personal Information, such as how it is being used and who it is being shared with, notice should be provided to members of the public who have already submitted information informing them of the changes. They should be able to withdraw their participation in the program or service, if desired.

Procedure Workflow

Departments are responsible for creating and maintaining a complete list of methods by which personal information is collected for City business. This includes all forms, signage, and web-based applications which require a Notice of Collection Statement as per this procedure. This will meet our goals of privacy by design, provide safety, promote efficiency, and ensure compliance with audits.

This procedure recommends that all forms and signage that collects personal information be submitted to Print Shop, even if printing is to be done by an outside provider or in-house. This will create a record of version history for the forms and comply with the Records Management Policy. All form templates that collect personal information should have a TB number as assigned by Print Shop and will be treated as a corporate record.

When submitting print jobs or developing a service that requires a Notice of Collection Statement, complete Appendix C Notice of Collection Submission Form and submit it with your request to either the general Print Shop or Manager, Business & Enterprise Applications, depending on the format of your points of collection / locations where Personal Information can be submitted by an individual. If your collection method has multiple points of collection, each point requires the statement be posted.

If your notice of collection is only posted on a City web page as a form, web editors are responsible for contacting Privacy, developing a suitable Notice of Collection Statement, and submitting Appendix C.

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Appendix C must be reviewed and signed by Privacy before submission to be considered complete.

Print Shop

Print Shop will screen submitted print jobs for Privacy-reviewed Notices of Collection, including forms and signage. If a print job is understood to collect Personal Information, before printing Print Shop will require a completed Appendix C to be submitted along with the print jobs, which includes a Notice of Collection statement. Departments submitting requests for print jobs will be provided with a copy of this procedure and sent to Privacy for information and review as necessary.

Corporate Information Technology

CIT will review requests for new or edits to existing CIT developed applications and third-party applications run by authorized vendors. Departments are responsible for determining if their projects require Notices of Collection, and Points of Collection where notice must be posted. CIT will require Appendix C: Notice of Collection Submission to be completed by the Department and acknowledged by Privacy, before submission along with the work order to CIT through the Manager, Business & Enterprise Applications. Departments submitting requests for applications which clearly require Notices will be provided with a copy of this procedure and sent to Privacy for information as necessary.

Communications & Public Relations

All web-based forms, landing pages, and internet accessible PDF forms that collect Personal Information are subject to this procedure. Web-Editors will be informed by Communications & Public Relations regarding their requirements under this procedure and will direct questions or concerns to Privacy. Web-Editors are responsible for ensuring that whenever web-based forms collect personal information, that Notice of Collection Statements are provided.

Privacy

Privacy will acknowledge departmental submissions or updates for forms and other points of collection via Appendix C whenever a Notice of Collection Statement is required. Privacy will comment on general privacy concerns and provide recommendations but is not responsible for the accuracy of the Purpose, Authority, and Use fields on the Notice of Collection Statement. The Department, upon submitting the form, must attest to the accuracy of the information provided.

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Definitions

Notice of Collection Statement / Collection Notification:

A short statement that must be clearly written and easily observed whenever and wherever the City collects Personal Information from an individual. Notices are public and must be in legislative compliance both with MFIPPA and the statue authorizing your collection activity. See Page 1.

Collection Activity:

The authorized service or action undertaken by the City that requires Personal Information to proceed. The activity may refer to the collection of information or imply by context that collection is required.

Point of Collection:

A location, regardless of format, in which an individual submits their personal information to the City, including forms, web-apps, signage, surveillance systems, and third-party apps.

Personal Information

"personal information" means recorded information about an identifiable individual, including,

(a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
(b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
(c) any identifying number, symbol or other particular assigned to the individual,
(d) the address, telephone number, fingerprints or blood type of the individual,
(e) the personal opinions or views of the individual except if they relate to another individual,
(f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
(g) the views or opinions of another individual about the individual, and
(h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual; ("renseignements personnels") (MFIPPA R.S.O. 1990, c. M.56, S. 2)

Collection Notification

The following information, at minimum, must be included in a Collection Notification:

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1. Purpose of Collection

Clearly state why the personal information is being collected. The purpose must be in accordance with a lawfully authorized activity to ensure compliance with *MFIPPA*. The stated purpose must be clear, concise, and narrowly defined for the specific collection. Purpose should be considered in conjunction with section 2), Authority for Collection, and 3) Use of Personal Information.

Examples: for public service delivery, for record-keeping, for administration of a service, for planning or by-law enforcement, determining eligibility for a program or service, communicating with applicants, etc.

2. Authority for Collection

Reference the statutory or legal authority under which the municipality is collecting the personal information. This may include one or more acts such as the *Municipal Act*, the *Municipal Elections Act*, the *Fire Protection and Prevention Act* or other relevant legislation. References must relate to the 1) Purpose of Collection and 3) Use of Personal Information. References must include the specific section/subsection that grant authority to collect, or the specific section/subsection that requires the City to perform the activity which inherently needs collection of Personal Information to administrate. If you are unaware of your specific authority, please refer to Appendix A or contact Privacy.

Under *Section 28(2) of MFIPPA*, an institution must be certain that it has the authority to collect personal information, either directly or indirectly, in order for the collection to be valid.

Example: "The personal information is being collected under the authority of the *Municipal Act, 2001, s. 227*."

3. Use of Personal Information

Describe all ways in which the personal information will be used, whether it is for municipal planning, service delivery, or any other related purpose. Use should be in conjunction with 1) Purpose of Collection and 2) Authority to Collect and be limited to what is necessary for the purpose, not merely convenient for the City. If there is an intent to share collected Personal Information between departments and for different purposes, then each instance of sharing must be clarified in this section.

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Example: "The information collected will be used to administer the curbside garden program and contact registrants with program updates." "Information collected may be shared with Fire Rescue for compliance with the Fire Code."

4. Contact information

Provide the position title, the department/division, but not the name of the municipal official responsible for handling inquiries about the specific personal information collection, along with their contact details (e.g., phone number, email address). The contact must also be aware of what process governs access to the information submitted. While it will usually be *MFIPPA*, it may also be governed by other acts (*The Employment Standards Act, 2000 c. 41, PHIPPA*, or others. Contact Privacy if you are unsure which Act applies or require more information.

Example: "For further information, please contact [Title, telephone number]."

Additional Information: Retention period, storage and disposition, and disclaimers.

The Collection Notification does not require information about the retention period, storage or disposition of the information; however, the information should be readily available on request. For example, departments should be prepared to explain that information will be retained and disposed of in accordance with the City's Records Retention Schedules and will be stored securely.

It may be helpful to include additional context in your statement, such as statements that information will not be sold to or shared with Third Parties. Discretion for inclusion is left to the Department.

References

- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *The Municipal Act, 2001*
- Corporate Policy 03-03-05 Access and Privacy
- Information and Privacy Commissioner of Ontario - Practices #8 - Providing Notice of Collection

Includes:

Appendix A: General Authority to Collect Information
Appendix B: Exemptions and Exceptions
Appendix C: Submission and Review Form

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Appendix A: General Authority to Collect Information

The *Municipal Act* provides broad authority for City Council to collect information in the provision of services. If you have no specific piece of governing legislation or by-law, or your governing legislation does not specifically outline your obligation to either collect information or perform a specific service, you may need to reference the *Municipal Act* in your Notice of Collection. Not all sections may be applicable to your collection, and specific subsections should be cited only as needed.

Municipal Act, 2001, S.O. 2001, c. 25

Scope of powers

8 (1) The powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues. 2006, c. 32, Sched. A, s. 8.

Powers of a natural person

9 A municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act. 2006, c 32, Sched. A, s. 8.

Broad authority, single-tier municipalities

10 (1) A single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public. 2006, c. 32, Sched. A, s. 8.

By-laws

(2) A single-tier municipality may pass by-laws respecting the following matters:

1. Governance structure of the municipality and its local boards.
2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.
3. Financial management of the municipality and its local boards.
4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act.
5. Economic, social and environmental well-being of the municipality, including respecting climate change.
6. Health, safety and well-being of persons.
7. Services and things that the municipality is authorized to provide under subsection (1).
8. Protection of persons and property, including consumer protection.
9. Animals.

10. Structures, including fences and signs.
11. Business licensing. 2006, c. 32, Sched. A, s. 8; 2017, c. 10, Sched. 1, s. 1.

Scenario 1:

Your governing legislation does not set out a specific section or subsection that allows, mandates, or makes necessary the collection of personal information, but instead implies that power is a necessary step in the fulfillment of its objectives. If so, then your governing legislation may be referenced in conjunction with the following sections of the *Municipal Act* as shown below:

Scenario 1 Collection Activity:

To lawfully marry two individuals, the city is required to collect their personal information. This is implied by the *Marriage Act* in its entirety, and marrying individuals is a public service the City is required to perform.

Example Collection Notification: Using Subsection 7 as relating to "Services and things that the municipality is authorized to provide under subsection (1)"

The City of Thunder Bay is collecting your personal information to ensure the registration of lawful marriage between two individuals. This collection is authorized under the ***Marriage Act, R.S.O. 1990*, c. M. 3**, and the ***Municipal Act, 2001, S.O. 2001*, c. 25, s 8(1), 9, and 10(2), ss 7**. The information collected will only be used in matters relating to marriage registration.

Scenario 2:

There is no specific piece of governing legislation for the narrowly defined activity requiring collection of information. If so, you may reference the *Municipal Act* as shown below:

Scenario 2 Collection Activity:

The City of Thunder Bay is required to provide services related to water billing, and to do so requires contact and account information for members of the public.

Example Collection Notification: Using Subsection 3 as relating to "The financial management of the municipality and its local boards"

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Personal information on this sign-up form is collected under the authority of the ***Municipal Act, 2001, S.O. 2001, c. 25, s 8(1), 9, and 10(2), ss 3*****,** and will be used to maintain a record of customer contact information and communicate with customers about matters relating to water services. Questions about this collection should be directed to the Supervisor- Water Billing & Collections, Revenue Division, 501-34 Cumberland St. N., Thunder Bay, Ontario, P7A 4L3, Telephone (807) 625-2255.

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Appendix B: Exemptions and Exceptions

If collection of information is indirect (a Third Party is providing information instead of the individual the information relates to), or if a Notice of Collection is either impossible to provide or would frustrate the purpose of the collection, we may employ *MFIPPA, S 29, SS 1 and 3*, summarized below.

Exceptions are limited and may only apply to portions of the Notice of Collection: consult Privacy before employing any of the subsections below to justify not providing notice.

Manner of Collection: 29 (1) An institution shall collect personal information only directly from the individual to whom the information relates, unless:

(a) the individual authorizes another manner of collection;	• A clause on a form authorizing another individual to submit information
(b) the personal information may be disclosed to the institution concerned under section 32 or under section 42 of the Freedom of Information and Protection of Privacy Act;	• Required or permitted disclosure of personal information to other parties (e.g., consent, law enforcement, compassionate, etc.)
(c) the Commissioner has authorized the manner of collection under clause 46 (c);	• Relates to purview of Information and Privacy Commissioner;
(d) the information is in a report from a reporting agency in accordance with the Consumer Reporting Act;	• See *Consumer Reporting Act R.S.O. 1990, CHAPTER C.33, S (1).*
(e) the information is collected for the purpose of determining suitability for an honour or award to recognize outstanding achievement or distinguished service;	• Personal Information may sometimes be collected or submitted on behalf of a nominee.
(f) the information is collected for the purpose of the conduct of a proceeding or a possible proceeding before a court or judicial or quasi-judicial tribunal;	• Consult Legal Services and Privacy for what qualifies under this subsection
g) the information is collected for the purpose of law enforcement; or	• Police and investigative matters
(h) another manner of collection is authorized by or under a statute. R.S.O. 1990, c. M.56, s. 29 (1).	• Varies on case-by-case basis: review your governing legislation