Policy Sponsor: CLO and Legal

Summary: Establishes the framework for the collection, use, disclosure, retention and destruction of the personal information that OAC requires to administer the OMERS Pension Plans and manage investments.

Contents
1. INTRODUCTION .................................................................................................................................... 1
   1.1 What is personal information? ........................................................................................................ 1
   1.2 What personal information does OAC collect? .............................................................................. 1
2. PRIVACY PRINCIPLES ........................................................................................................................ 2
   Principle 1 - Accountability..................................................................................................................... 2
   Principle 2 - Identifying Purposes of Collection ...................................................................................... 2
   Principle 3 - Obtaining Consent.............................................................................................................. 2
   Principle 4 - Limiting Collection .............................................................................................................. 2
   Principle 5 - Limiting Use, Disclosure and Retention ............................................................................. 2
   Principle 6 - Accuracy ............................................................................................................................. 3
   Principle 7 - Safeguards ........................................................................................................................... 3
   Principle 8 - Openness ............................................................................................................................ 4
   Principle 9 - Individual Access ................................................................................................................ 4
   Principle 10 - Questions or Concerns ..................................................................................................... 4

1. INTRODUCTION
OAC is committed to ensuring its employees take all reasonable steps to protect the privacy of members of the OMERS Pension Plans and any other persons whose personal information is in OAC’s control. This policy has been designed to address the principal requirements of data privacy laws in the key countries in which we operate, and in particular adopts the principles articulated in the Canadian Standards Association Privacy Standards and the UK Data Protection Act 1998 (DPA).

1.1 What is personal information?
Personal information is information about a living individual where that person can be identified from the information. 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 OAC collect?
Some examples of personal information OAC may collect include:
- Social Insurance Number (SIN)
- Date of birth
- Employment history or service information
- Salary and benefits/contributory earnings
- Home address, telephone number and e-mail address
- 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 VP, Legal and Corporate Secretary is the Privacy Officer. The Privacy Officer monitors and promotes compliance with legal requirements under this policy and related procedures. OAC Records and Information Management Policy (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 legal authority 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;
- Determining the method of disclosure of personal information;
- Responding to requests for correction of personal information; and
- Providing access by the public to policies and procedures manuals.

OAC has processes for evaluating potential privacy breaches and providing appropriate notification of privacy breaches to affected persons in order to maintain a high level of accountability to all individuals whose personal information is in OAC’s control.

Principle 2 - Identifying Purposes of Collection

OAC collects personal information to:

- Administer the Plans and manage investments;
- Pay pensions or other benefits to members, retired members, spouses and other plan beneficiaries;
- Meet statutory and regulatory reporting requirements, including those in the Pension Benefits Act and Income Tax Act; and
- Communicate information about the Plans to members, retired members or other plan beneficiaries.

Principle 3 – Obtaining Consent

An individual’s consent to collect personal information is implied upon enrollment in the OMERS Pension Plans. In other cases, the form of consent may vary depending on the circumstances and the type of personal information.

Principle 4 - Limiting Collection

OAC limits the collection of personal information to only that which is necessary for the purposes set out above and, with the exception of OAC’s human resources purposes, not for any other purpose.

Principle 5 - Limiting Use, Disclosure and Retention

OAC limits the use of 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 but not limited to annual statements, Benefit Election 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, e-mail or in person;
• Meeting statutory and regulatory reporting requirements;
• Preparing plan valuation and experience studies; and
• Facilitating general administration of the Plans.

Personal information may only be shared with participating 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 (OAC 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 and data protection obligations on the recipients. In the event that personal information is to be transferred from within to outside the European Economic Area, OAC shall ensure an adequate level of protection for the affected individuals in accordance with the DPA.

OAC 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**

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

OAC should make reasonable efforts to ensure that the personal information in its control is accurate, up-to-date and complete.

Members and individuals in receipt of a benefit under the Plans should make reasonable efforts to provide accurate, up-to-date and complete personal information.

OAC Audit Services may from time to time conduct audits to test the accuracy of personal information in OAC’s control.

**Principle 7 - Safeguards**

OAC 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 IT 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 OAC records containing personal information. Individuals who need personal information for the performance of their duties are made aware of their obligations to safeguard such personal information.

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

If personal information is to be processed by a third party on behalf of OAC, OAC will ensure that the processing is done under a contract in writing that imposes appropriate technical and organizational measures to guard against unauthorized use or accidental loss of the personal information.
**Principle 8 - Openness**

Information about OAC 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.

Requests for information from the SC, sponsors and stakeholders must be administered through the Information Request Policy.

**Principle 9 - Individual Access**

If requested orally or in writing and on appropriate verification of identity, OAC will provide an individual with details of the collection, use and disclosure of his or her personal information and provide access to that information, except where OAC is required by law not to disclose personal information to the individual. Individuals are to be encouraged to review the information and report any inaccuracies or incomplete information.

**Principle 10 - Questions or Concerns**

Any questions or concerns regarding this Policy can be addressed to:

OMERS Privacy Officer  
One University Avenue, Suite 400  
Toronto, Ontario M5J 2P1  
Phone: (416) 814-6569  
E-mail: privacy@omers.com

OAC will respond to all inquiries or concerns about the handling of personal information and will take appropriate measures, when necessary, in relation to an inquiry or concern.

**HISTORY**

Effective Date: June 6, 2012  
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