



Canada: A Privacy Primer

The collection, use, storage and onward transfer of personal information is governed by the Personal Information Protection and Electronic Documents Act (PIPEDA) for the private sector; Alberta, British Columbia, Quebec and Manitoba each have adopted provincial privacy rules for the private sector that are deemed “substantially similar” to PIPEDA. Individuals are considered “data subjects” rather than “consumers” for this jurisdiction.

In practice, Canadian privacy follows certain principles seen in other jurisdictions as relates to processing of personal information:

- **Purpose limitation.** The organization collecting personal information should have a legitimate reason for doing so. Some examples we have seen are: assessing a candidate’s suitability for employment (in accordance with company policies) or the execution of a contract which benefits the data subject (such as an employment contract). The information processing may be done for the named purpose and not for another purpose - now or later.
- **Notice.** The individual should know that information is being collected about them before it is collected.
- **Consent.** Consent is required for the collection and processing of personal information. GIS recommends as a best practice that consent should be express – meaning a consent form signed by the candidate (electronic or wet signature). We also suggest consent should not be evergreen, as is sometimes seen in the US. Canadian privacy is quite specific that consent needs to occur at or near the time of collection.
- **Proportionality.** The amount of information collected should only be as much as is required to complete screening checks, and the checks themselves should be relevant to the position. For example, one would not run a credit history on a candidate not in a cash-handling or financial position, and one would not collect the candidate’s Social Insurance Number (SIN) if they were only running an education check.
- **Security.** The information should be held and handled in ways that protect it from further disclosure or abuse.
- **Access.** The individual should have the ability to access information the information that was collected and processed about them. In Canada, it would be more usual for the candidate to approach the potential employer for a copy of their screening report.

Canada: Criminal History Search

GIS offers the national Canadian criminal history search sourced from the Canadian Police Information Center (CPIC) and performed through the Royal Canadian Mounted Police (RCMP). CPIC searches are processed in accordance with PIPEDA and applicable provincial laws (i.e. Alberta, British Columbia, Quebec and Manitoba Personal Information Acts).

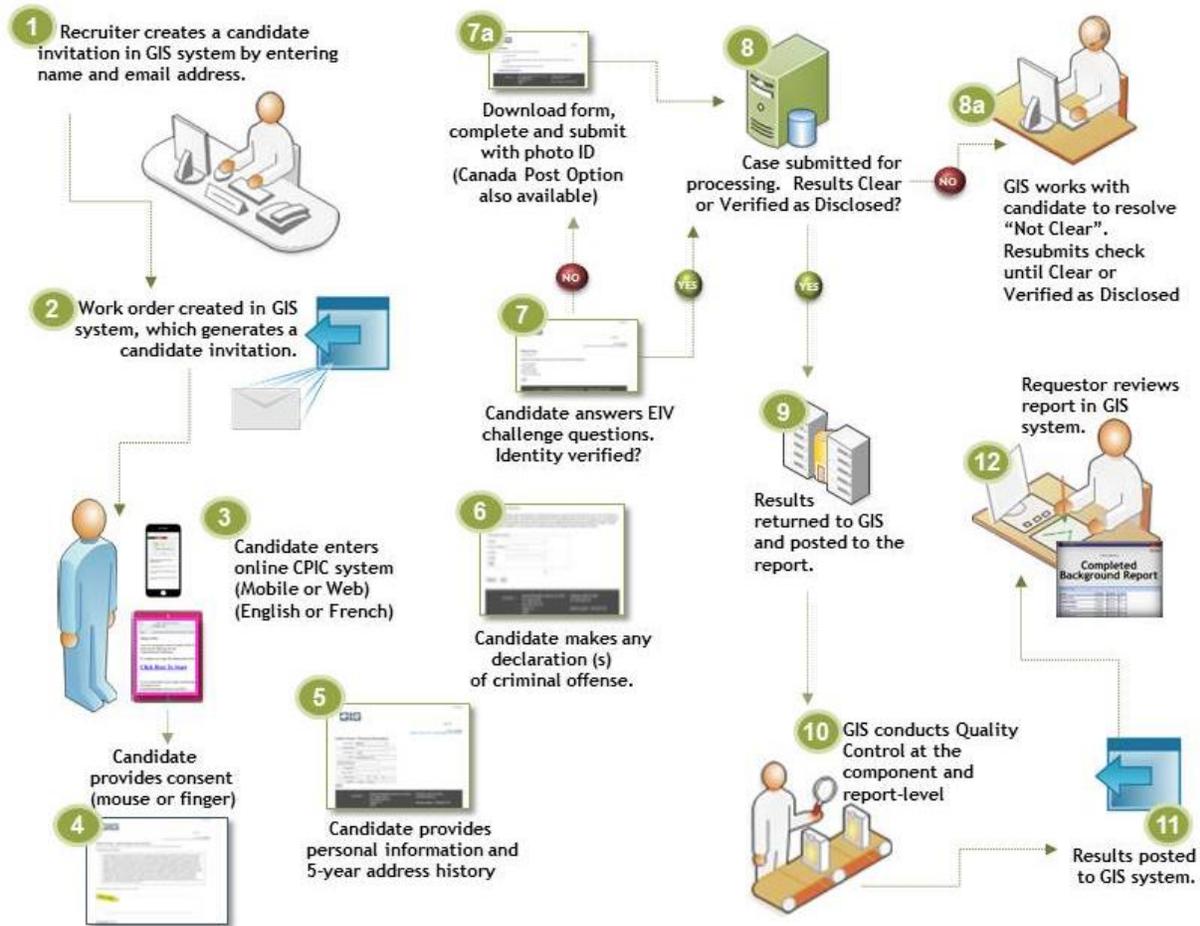
The CPIC check is commonly used for pre-employment screening purposes in Canada, across all position types, including retail positions. Turnaround time is 1 business day.

The GIS CPIC search includes Electronic Identity Validation (eIV) to speed processing. Once the candidate has provided information relevant to the search, they are asked a series of challenge questions to verify their identity. These questions are specific to the candidate, and are pulled from their credit history (please note: a credit history is not being run). Once the candidate successfully completes the online eIV, they provide their consent (electronic) and the check is submitted.



For those candidates without a credit history who fail to proceed beyond eIV, there are two options for processing: a) revert to the manual CPIC form and present their IDs to the “viewing person”, usually a recruiter or hiring manager, or b) download the barcoded instruction form which appears at the point of eIV failure and present their IDs for verification at the nearest Canada Post location. The Canada Post employee will review and scan the ID document and the instruction form, and upload via their integration. At that point, the verified ID will be reunited with the information already provided by the candidate in the online system, and the CPIC check will commence. It has been estimated there is a Canada Post location within 5 km of any Canadian citizen.

A visual representation of the end-to-end workflow follows:



National or Provincial Criminal Checks?

When the CPIC search was still relatively new (some years ago), there was debate as to whether to conduct the national or provincial check, the rationale being the provincial check contained more robust information. This has not been the case over time, and we recommend the CPIC check as the standard for criminal checking in Canada.

GIS does offer Canadian provincial searches which are performed through the courts. However, the scope is limited to the province in which the search is conducted and turnaround varies, with Alberta tending to have the longest processing times.



Global Watch

For added coverage, some clients also run GlobalWatch, a database compilation of country-specific and international sanctions, terror and other watch lists. It is not specific to one country, and will not provide minor “street”-level offenses. GlobalWatch includes international source types such as:

• Politically Exposed Persons (PEPs)	• Country-specific Watch Lists
• Sanctions Lists	• Law Enforcement/Most-Wanted Lists
• Watch Lists (e.g. Interpol, OFAC)	• Regulatory Sanctions
• Exchange Enforcement Actions	• Debarred Entities

In addition, Global Watch contains negative press/adverse media, a compilation of current and historic news cache content from around the world. The negative press/adverse media search is risk-relevant, with algorithms developed to execute search-term combinations focused on returning negative media results.

SIN Verification

This check verifies if a candidate's Social Insurance Number (SIN) is valid, as well as identifying any mismatches of the name, Date of Birth and current Address.

SIN Validation

This check verifies if the SIN is valid; it does not verify if the SIN is matched to the individual.

Education Verification

This verifies the candidate degree information, such as institution, date awarded and degree awarded. For Canada, this check would most normally be used for management-level positions, or where a particular degree would be required, such as lawyer or specialist IT personnel.

Employment Verification

This check is to verify employment history including employers' name and location, contact information for employers' HR department, Supervisor's name and department. Also verified are dates of employment and job title as well as rate of pay, reason for leaving and eligibility of rehire.

Professional License / Credential Verification

This check verifies the professional licensing information through the appropriate regulatory agency, and returns results detailing license type and status, pending or past disciplinary action and dates of validity.

Reference Check

This check is an interview of named referees as provided by the candidate, though is not as commonly used as other Canadian checks.

Passport Verification

This check verifies the passport algorithmically, utilizing the MRZ number, to ensure the passport is valid. This verification does not indicate whether the passport/ID is a match for the specified individual.

Credit Report

This check of applicant's credit file returns information that is commonly reportable in-country and the SIN number is required for this check. It should be noted that credit reports do not return the volume of information as seen on a US credit report - once again, for privacy reasons.