

**The City of New York
311 Citizen Service Center
Client Information Privacy Policy
("311 Privacy Policy")**

The City of New York ("City") is committed to maintaining the confidentiality of the information provided by clients to the 311 Citizen Service Center ("311 Call Center"). This commitment is reflected herein, in the City's 311 Citizen Service Center Client Information Privacy Policy ("311 Privacy Policy"), a formal statement of principles and procedures concerning the protection of client information provided to the 311 Call Center. The objective of the 311 Privacy Policy is the responsible management of 311 client information. It is intended to reflect the high regard which the City views the management of information provided by clients. The City will review the 311 Privacy Policy periodically ensure it is relevant, and remains current with changing laws, technologies and client needs. The City is not responsible for breaches of security by third parties.

Principle 1 - Accountability

The City, through the 311 Call Center, is responsible for personal information under its control and shall designate one or more persons who are accountable for the 311 Call Center's compliance with the 311 Security and Privacy Policy.

- 1.1** Responsibility for ensuring compliance with the provisions of the 311 Privacy Policy rests with the senior management of 311 Call Center, which shall designate one or more "privacy compliance officers" to be accountable for 311 Call Center compliance with the 311 Privacy Policy. Other individuals within 311 Call Center may be designated to act on behalf of the privacy compliance officers, or to take responsibility for the day-to-day collection and processing of personal information. The 311 Call Center shall make known, upon request, the identity of the privacy compliance officers who oversee the 311 Call Center's compliance with the 311 Privacy Policy.
- 1.2** The 311 Call Center has implemented policies and procedures to give effect to the 311 Privacy Policy, including:
- a) implementing procedures to protect personal information and to oversee the 311 Call Center's compliance with the 311 Privacy Policy;
 - b) training and communicating to staff about the 311 Call Center's policies and practices; and
 - c) establishing procedures to receive and respond to inquiries or complaints.
- 1.3** The 311 Privacy Compliance Officer may be contacted with any questions or comments regarding this policy via mail at

311 Privacy Compliance Officer
NYC DoITT
59 Maiden Lane, 14th Floor Mailroom
New York City, NY 10038.

Principle 2 - Limiting the Collection of Personal Information

The 311 Call Center shall limit the collection of personal information to that which is reasonably necessary to address client needs, to conduct City business, to provide emergency assistance, or as otherwise required by law.

- 2.1** The 311 Call Center collects personal information only for the following purposes:
- a) to efficiently address client needs;
 - b) to conduct and improve City business and/or services;
 - c) to help provide emergency assistance, if necessary; and
 - d) as otherwise required by law.

- 2.2** Unless required by law, the 311 Call Center shall not collect personal information for any other purpose without first informing the client.

Principle 3 - Limiting Access and Disclosure of Personal Information

The 311 Call Center shall not use personal information for purposes other than those for which it was provided, except as otherwise disclosed to the client and/or approved by a 311 privacy compliance officer.

- 3.1** Only those City employees who require access only for the purposes set forth in 2.1 are to be granted access to personal information about clients.
- 3.2** Personal information is subject to disclosure, without the knowledge and consent of the client, only for the purposes set forth in 2.1.
- 3.3** The 311 Call Center shall adhere to the Automatic Number Identification ("ANI") Terms and Conditions, as prescribed by New York State's Public Service Commission, which provide:
- a) The City may use or transmit ANI information to third parties for billing and collection, routing, screening, ensuring network performance, and completion of a telephone subscriber's call or transaction, or for performing a service directly related to the telephone subscriber's original call or transaction.
 - b) The City is prohibited from utilizing ANI information to establish marketing lists or to conduct outgoing marketing calls, except as permitted by the preceding paragraph, unless the ANI recipient obtains the prior written consent of the telephone subscriber permitting the use of ANI information for such purposes. The City may not utilize ANI information if prohibited elsewhere by law.
 - c) The City is prohibited from reselling, or otherwise disclosing ANI information to any other third party for any use other than those listed in subheading a, unless the City obtains the prior written consent of the telephone subscriber permitting such resale or disclosure.

Principle 4 - Limiting the Length of Retention of Personal Information

The 311 Call Center shall retain personal information for the fulfillment of the purposes for which it was collected, except as otherwise provided in 4.3.

- 4.1** Where personal information is reasonably necessary to provide ongoing assistance to a client, the 311 Call Center shall retain that information that is reasonably sufficient to enable the provision of

such service until it is determined that retention is no longer necessary.

4.2 The 311 Call Center shall maintain reasonable and systematic controls and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained.

4.3 Voice recordings of phone calls are kept for fourteen days then erased, with several exceptions. First, certain recordings are kept longer than fourteen days for quality assurance purposes. The personal information on these recordings shall be redacted. Second, recordings shall be preserved when subject to subpoena. Third, recordings shall be preserved when subject to Freedom of Information Law requests. Fourth, recordings shall be preserved if they are material to an ongoing law enforcement investigation or proceeding or when otherwise required by law.

Principle 5 - Security Safeguards

The 311 Call Center shall protect personal information by adhering to security safeguards appropriate to the sensitivity of the information.

5.1 The 311 Call Center shall establish commercially reasonable protocols to protect personal information, regardless of the format in which it is held, against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures.

5.2 Every 311 Call Center employee with access to personal information shall be trained, and required as a condition of employment, to respect the confidentiality of personal information.

5.3 The 311 Call Center shall protect personal information disclosed to third parties affiliated with the 311 Call Center by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

Principle 6 - Transparency

The 311 Call Center shall make readily available specific information about its policies and practices relating to personal information.

6.1 The 311 Call Center shall make information about its policies and practices available online. Such information will include:

- a) the contact information for the 311 Privacy Compliance Officer; and
- b) the means of gaining access to one's personal information held by the 311 Call Center.

Principle 7 - Client Access to Information

The 311 Call Center shall, upon request, provide individuals with access to information that is being retained about them pursuant to the guidelines that follow. Such individuals shall be able to challenge the accuracy and completeness of the information and to have it amended as appropriate.

7.1 A client can obtain information or seek access to his or her individual record by contacting the 311 Call Center's Privacy Compliance Officer. Information will normally be released to the client only if the client provides the service request number. At the discretion of the Privacy Compliance Officer, status reports may be disclosed to address the purposes set forth in 2.1.

7.2 In certain situations, the 311 Call Center may not be able to provide access to the information it holds about a client that is in a third parties' individual record. For example, the 311 Call Center may not provide access to information if doing so could reasonably be expected to reveal personal information about the third party or could reasonably be expected to compromise the privacy interests of that or any other individual.

7.3 Upon written request to the Privacy Compliance Officer, the 311 Call Center shall review and, if deemed appropriate, correct or complete any information on a client's personal record that is determined to be inaccurate or incomplete.

Principle 8 - Challenging Compliance

Client shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the 311 Call Center's compliance with the 311 Privacy Policy.

8.1 Complaints or inquiries about the handling of personal information shall be directed to the Privacy Compliance Officer. The Privacy Compliance Officer shall investigate all written complaints concerning compliance with the 311 Privacy Policy.

8.2 If the Privacy Compliance Officer determines that a complaint is justified, the 311 Call Center shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A client shall be informed of the outcome of the investigation regarding his or her complaint.

Definitions

311 Call Center – An entity established by the City of New York, and administered by DoITT for the purpose of providing callers with one point of contact from which to obtain information on all non-emergency City services. All rights and obligations herein pertaining to the 311 Call Center apply to the City of New York and DoITT.

Client – Any individual or individuals legitimately seeking to avail themselves of the services provided by and through the 311 Call Center.

Collection – The act of gathering, acquiring, recording or obtaining personal information by the 311 Call Center from a client.

Disclosure – Making personal information available to a third party.

Employee – An employee, consultant or contractor of the 311 Call Center, DoITT, or the City of New York.

Individual record – Information about a specific complaint/report/call that is associated with a unique identifiable number.

Personal information – Information about an identifiable individual that is recorded in any form. Personal information includes a client's name, telephone number, Internet Protocol address, or physical address, as well as the nature of an identifiable client's inquiry, request, and complaints to the 311 Call Center. Personal information is not information that cannot be associated with a specific individual. Aggregated information that cannot be traced to identifiable individuals is not considered "personal information."