

Guide to Giving Notice

1. Giving Notice

It is up to each department to determine how best to communicate PII processing information to its employees, customers and other individuals. Ideally, the needs of the individuals should drive the notice strategy.

Here are some good ways to provide notice:

- Include a short form privacy notice on data collection forms, such as job applications, RFP requests, newsletter registration materials, business reply cards, *etc.*
- Email a privacy notice or information about our privacy policies to workers or business partners,
- Post a privacy notice on department Internet and intranet web pages,
- Include a privacy notice in employee handbooks,
- Provide copies of notices to workers when you train them on the privacy policies,
- Explain our privacy and security practices in department newsletters,
- Include privacy notices (or information about our privacy and security practices) in other worker and business partner communications, such as payment stubs or billing statements, or
- Explain our privacy and security practices during employee meetings or new hire orientation sessions.

Additionally, privacy notices should always be available upon request. For example, information about privacy and security practices should be provided to callers who ask privacy or security questions.

2. Minimum Standards for Notices

With respect to the notices that you give, there are some minimum standards that will help ensure that all notices required by the Privacy Policy and local data protection laws are appropriate.

- Notices should be clear, uncluttered and easy to read. The text should be plainly worded, with a minimum of legalese. Consider using a “readability” tool, such as Flesch Reading Ease to confirm that the notice is easy to understand. These tools are freely-available on the Internet.

- The notice should be given in a language that the reader understands well. If you are providing notice to a population that doesn't read well (either because of literacy issues or disability), establish a process to deliver the notice content orally.
- If appropriate, consider using a layered notice, with the most important information highlighted on a top page, and complete details of the processing in a separate longer notice.
- The notice type should be large enough and placed prominently enough for the reader to find and follow, even on a complex data collection form. If you are providing notice to an older population, consider offering large type versions of the notice.
- An extra copy of the notice and the data collection form should be available for the reader to take with him or her for his or her records.
- A process should be in place to answer, and escalate as necessary, any questions that the reader has about the notice or the data collection form.
- The notice must be accurate. Periodically review the terms of the notices given and confirm that the text is still appropriate given any changes in the business, the data flows, or other procedures.

For more information on notices, please contact your department privacy office.

3. Maintaining a Record of Notices Given

In order to demonstrate that notices have been given, each department should maintain a record or log of what notices are given, when they are given, and to whom they are given. Maintain copies of all notice forms that are distributed.

Alternatively, you can have individuals acknowledge that they have received a privacy practices notice. Given the administrative burdens of receiving acknowledgements from all recipients of your notices, however, this approach is not required, nor is it appropriate for every situation. This approach might be useful when you have a small number of important notices to deliver or if you want to be able to specifically demonstrate that a particular notice was given.

SAMPLE NOTICE DISTRIBUTION LOG

Notice Reference	Date Given	Method Given	To Whom Given	Comments
Indicate what form notice was given. You may reference the name of the document, the document number, etc.	Indicate the date the notice was given	Indicate how the notice was given	Indicate what individuals received the notice	Indicate any issues with the notices - individuals who missed the notice, <i>etc.</i>
SAMPLE ENTRIES:				
Employee Privacy Notice, version 3, 27 March 2008	1-Sept-08	Via email	To all individuals on the "ALL EMP" email distribution list	Distribution list is updated weekly. We also sent these documents to this week's hires via interoffice mail
Dept Privacy Notice Form 223	3-Jan-2009	Mail	Ms. Jan Smith 612 S. Pine St Milton, 25541	Response to Phone Request