
Corporate Human Resources
Pre-employment Psychological Assessment
Privacy Impact Assessment

Final Report

September 2011

Prepared by:
Information and Privacy Office
Employment and Immigration

In consultation with:
Attraction and Technology and
Human Resource Community Development
Corporate Human Resources

Alberta 

Table of Contents

Chapter 1: PROGRAM DESCRIPTION.....	1
1.1 Definitions	1
1.2 Responsible Public Bodies	2
1.3 Responsible Business Area	2
1.4 Contact Person	2
1.5 Background.....	3
1.5.1 Role of Corporate Human Resources	3
1.5.2 Intent of Pre-employment Psychological Assessment	3
1.5.3 Scope of Pre-employment Psychological Assessment	4
1.5.4 Pre-employment Psychological Assessment.....	4
1.6 Benefits.....	6
Chapter 2: PERSONAL INFORMATION COLLECTED, USED AND DISCLOSED.....	7
2.1 Personal Information Collected.....	7
2.2 Information Flows.....	8
2.3 Information Users.....	9
2.3.1 The Individual's Ministry	9
2.3.2 Role of Corporate Human Resources	10
Chapter 3: PROTECTION OF PERSONAL INFORMATION ANALYSIS	11
3.1 Collection of Personal Information	11
3.1.1 Authority of Public Service Commissioner to Set Personal Policy...	11
3.1.2 Application of Pre-employment Psychological Assessments for New Appointments	12
3.1.3 Authority of Deputy Ministers to Manage Personnel Activities.....	13
3.1.4 Authority to Collect Personal Information	14
3.2 Manner of Collection of Personal Information	15
3.3 Accuracy and Retention.....	16
3.3.1 Accuracy.....	16
3.3.2 Records Retention.....	17
3.4 Right to Request Correction of Personal Information.....	18
3.5 Protection of Personal Information.....	18
3.6 Use of Personal Information.....	19
3.7 Disclosure of Personal Information	19
3.8 Disclosure for Research or Statistical Purposes	20
Chapter 4: POTENTIAL PRIVACY IMPACTS.....	21
4.1 Potential Privacy Impacts.....	21
4.2 Conclusion	21
APPENDICES	
APPENDIX 1 Directive.....	23

APPENDIX 2	Administrative Guideline	23
APPENDIX 3	GOA Consent/Authorization Form	23
APPENDIX 4	Consent to Release Information Form	23
	(for the results of a previous assessment)	23
APPENDIX 5	Consent to Release Information Form	23
	(Registered Psychological)	23
APPENDIX 6	Pre-employment Checklist Form.....	23
APPENDIX 7	Psychological Assessment Result Form	23
APPENDIX 8	Process Flowchart	23

Chapter 1: PROGRAM DESCRIPTION

Within the Government of Alberta there are four ministries that hire individuals into law enforcement roles. These individuals are required to be appointed and retain the designation of “Peace Officer” pursuant to the *Alberta Peace Officer Act*, and carry a weapon(s) (pistol, long-gun, baton and/or pepper spray). The law enforcement roles are distinct to each Ministry, and include the work of Sheriffs, Fish and Wildlife Officers, Conservation Officers, and Transport Officers. Within each category there are different levels of work as well as some unique roles.

The requirement to carry a weapon(s) increases potential risk to the individual, their co-workers and the public. A pre-employment psychological assessment is used to assess an individual’s suitability for weapons issuance for designated law enforcement roles in the Alberta Public Service, and may mitigate the risk in hiring an individual who is not suited to carry a weapon(s).

Corporate Human Resources and the four Ministries (Solicitor General and Public Security; Sustainable Resource Development; Tourism, Parks and Recreation; and Transportation) worked collaboratively to develop a Government of Alberta protocol for pre-employment psychological assessment based on job-specific behavioural competencies that will be part of the recruitment/selection process. The development of this protocol provided the opportunity to complete a Privacy Impact Assessment.

The pre-employment psychological assessment will be conducted by a Registered Psychologist(s) contracted for this purpose to the Government of Alberta.

1.1 Definitions

For the purposes of this Directive the following definitions apply:

Pre-employment Psychological Assessment: Pre-employment psychological assessment is the term used to describe a series of validated psychological assessment tools administered and interpreted by a Registered Psychologist(s) to determine individuals’ suitability for weapons issuance for designated law enforcement roles in the Alberta Public Service. These psychological assessment tools include psychometric testing, and clinical and structured stress interviews.

Behavioural Competency: A behavioural competency is defined as any attitude, skill, behaviour, motive or other personal characteristic that underlies effective or successful job performance.

(N.B.: The pre-employment psychological assessment focuses on job-specific competencies, which pertain to the potential use of weapons and application of force by Peace Officers pursuant to the *Alberta Peace Officer Act*.)

1.2 Responsible Public Bodies

Corporate Human Resources is responsible, on behalf of the Government of Alberta, for developing, implementing and maintaining the Directive.

Every Ministry, Board, Commission or other entity under the *Public Service Act* is subject to this Directive and is responsible for complying with this Directive.

The process of implementing and maintaining the activities required under the Directive will be one that is coordinated by Corporate Human Resources. As one employer, Human Resources is an integrated service¹ and program that ensures consistency across the Government of Alberta.

The pre-employment psychological assessment processes are described in Appendix 8 – Process Flowchart.

1.3 Responsible Business Area

Staffing Programs, Corporate Human Resources is responsible for managing the pre-employment psychological assessment Directive, the contract for the delivery of pre-employment psychological assessments and associated processes.

1.4 Contact Person

The following official can answer questions about the type of personal information collected and handled under the Directive for the purposes of this Privacy Impact Assessment:

Assistant Commissioner
Attraction and Technology and Human Resource Community Development
Corporate Human Resources
7th Floor, Peace Hills Trust Tower, 10011-109 Street
Edmonton, Alberta T5J 3S8
(780) 644-7520

¹ Integrated Service as referred to under s. 40(1)(i) of the *Freedom of Information and Protection of Privacy Act*

1.5 Background

1.5.1 Role of Corporate Human Resources

Corporate Human Resources is the corporate Human Resources arm of the Government of Alberta. Corporate Human Resources establishes policy frameworks to support departments in achieving their business plan goals. Corporate Human Resources also works with departments to achieve cross-ministry Human Resource goals.

Human Resources sets out the general entitlements, benefits, authorities and requirements that apply in the administration of the employer's Human Resource program in Government of Alberta organizations under the *Public Service Act*.

Section 6(1)(c) of the *Public Service Act* provides the Public Service Commissioner with the general authority to:

(c) advise and assist departments in the conduct of departmental personnel activities [emphasis added];

This authorizes and supports the creation of a personnel or Human Resources administration program within the Government of Alberta. In addition, individual Ministers are responsible for the ongoing personnel activity or program within their Ministries.

1.5.2 Intent of Pre-employment Psychological Assessment

All individuals in Peace Officer roles pursuant to the *Alberta Peace Officer Act* require the same essential job-specific behavioural competencies to perform weapon(s)-related duties. The essential job-specific behavioural competencies are:

- Social Competence/Interpersonal and Communication Skills;
- Adaptability/Flexibility;
- Decisiveness/Judgement/Problem Solving;
- Impulse Control;
- Emotional Regulation/Stress Tolerance and Management;
- Assertiveness/Persuasiveness;
- Avoiding Substance Abuse and Other Risk-Taking Behaviour;
- Rule Consciousness; and
- Conscientiousness/Dependability.

The pre-employment psychological assessment is designed to gather information on the job-specific behavioural competencies mentioned above, and to assess individuals' suitability for weapons issuance for designated law enforcement roles in the Alberta Public Service.

The intent of the Directive is to introduce due diligence in ensuring individuals appointed as Peace Officers and who carry weapons are psychologically suitable for weapons issuance due to the risk associated with the use of weapons and application of force. The implementation of the Directive also results in a common/consistent process to be used by the employer on behalf of the Government of Alberta.

It should be noted that pre-employment psychological assessment is only one component in a comprehensive recruitment/selection process involving a variety of assessment tools including interviews, academic credentials, references, physical fitness and medicals.

1.5.3 Scope of Pre-employment Psychological Assessment

All designated positions that require a pre-employment psychological assessment have been determined to meet the following criteria:

Positions where the individual performs a law enforcement role and is required to:

- be appointed and retain the designation of “Peace Officer” pursuant to the *Alberta Peace Officer Act*, and
- carry one or more of the following weapons:
 - pistol,
 - long-gun,
 - baton, and/or
 - pepper spray.

A pre-employment psychological assessment is required when an individual is being appointed to one of the designated positions through competition, exemption from competition, or reclassification.

It should be noted that a pre-employment psychological assessment is not required for designated positions when an active employee has already been appointed and currently retains the designation of “Peace Officer” pursuant to the *Alberta Peace Officer Act*, and carries a weapon(s).

1.5.4 Pre-employment Psychological Assessment

Individuals will be informed of the requirement to undergo a pre-employment psychological assessment at the time the position is advertised.

The pre-employment psychological assessment will normally take place at the end of the recruitment/selection process after all the other applicable pre-employment checks have been completed.

Prior to participating in pre-employment psychological assessment, the individual will provide written consent to the Registered Psychologist or their designate allowing the Registered Psychologist to share the individual's suitability for weapons issuance with the Ministry Human Resource Office. (Refer to Appendix 5.)

The tests will be administered under the supervision of a Registered Psychologist, and include psychometric testing, and clinical and structured stress interviews.

The Registered Psychologist will report his/her evaluation of the individual's psychological suitability for weapons issuance to the specified Ministry Human Resource staff in an email with minimal personal information, using the following format:

- Individual's name
- Acceptable or Unacceptable

The results of the pre-employment assessment may be reviewed by the Ministry Human Resource Advisor and the manager responsible for recruitment to or reclassification of the designated position.

The Psychological Assessment Result Form (refer to Appendix 7) will be sent by courier by the Registered Psychologist directly to the Sheriffs and Security Operations Branch, Justice and Solicitor General. The Sheriffs and Security Operations Branch, through a Memorandum of Understanding with Corporate Human Resources, collects and securely stores the information on behalf of the employing Ministry.

If requested by the individual, especially in cases where he/she has been found unacceptable, the Registered Psychologist will provide a one-on-one debriefing regarding the results of the testing and reasons for the conclusions.

Because of the inherent changeable nature of people and their circumstances, pre-employment psychological assessments should only be considered valid for a period one (1) year. This allows individuals sufficient time to address issues that impacted their assessment and reduces the impact retesting can have on results. This does not imply that incumbents in these Peace Officer roles pursuant to the *Alberta Peace Officer Act* need to be tested every year.

1.6 Benefits

The benefits derived from this Directive include the ability to:

- assure Albertans that the employer, on behalf of the Government of Alberta, has been duly diligent in appointing or reclassifying individuals to designated law enforcement positions where they will have the responsibility of carrying a weapon(s);
- mitigate the risks to the individual, their co-workers and the public caused by the use of weapons and application of force;
- create a common/consistent cross-ministry approach to pre-employment psychological assessment within the Government of Alberta; and
- provide the Government of Alberta with protection from a legal and Human Resources management perspective by directly linking the job-specific behavioural competencies to the job requirement of carrying a weapon(s).

Chapter 2: PERSONAL INFORMATION COLLECTED, USED AND DISCLOSED

2.1 Personal Information Collected

Consistent with the standards of professional practice of psychologists in the Province of Alberta and the *Freedom of Information and Protection of Privacy Act*, written consent must be obtained from the individual at the time of the pre-employment psychological assessment. The consent form must be administered by the same individual who administers the assessment. If the administrator is someone other than the Registered Psychologist, the consent form must be returned to the Registered Psychologist with the psychometric test answer sheets.

Individuals who choose not to provide their consent will not have their application for employment considered further.

Figure 1 depicts the areas of psychological functioning that will be assessed and the rationale for collecting that information by the Registered Psychologist.

Figure 1
Personal Information Collected

Pre-employment Psychological Assessment			
Type of Screening	Personal Information Provided by the Individual	Report Containing Personal Information Provided by:	Rationale
Pre-employment Psychological Assessment	Information regarding: <ul style="list-style-type: none"> • Social competence/interpersonal and communications skills • Adaptability/flexibility • Decisiveness/judgement/ problem solving • Impulse control • Emotional regulation/stress tolerance and management • Assertiveness/persuasiveness • Avoiding substance abuse and other risk taking behaviour • Rule consciousness • Conscientiousness/ dependability 	Registered Psychologist makes a determination of acceptable or unacceptable for weapons issuance.	Ensures that reliability as well as healthy interaction, coping, problem solving skills and judgement are present.

2.2 Information Flows

The requirement to undergo a pre-employment psychological assessment will be included in the recruitment advertising. The reasons and procedures for conducting the assessment will be explained during the interview. (Refer to Appendix 1 and 2.)

Pre-employment psychological assessments will be conducted on individuals who have been found suitable through the interview process and normally after all other applicable pre-employment checks have been completed. (Refer to Appendix 8 – Process Flowchart.)

1. Once the suitable candidate(s) have been identified, Human Resources will inform the candidate(s) that they are being considered for the position and are required to undergo a pre-employment psychological assessment.
2. If a candidate has undergone a pre-employment psychological assessment within one (1) year, Human Resources can access the previous results. The individual is asked to sign a consent form, which is sent to the Sheriffs and Security Operations Branch requesting the results of the previous pre-employment psychological assessment. (Refer to Appendix 3 and 4.)
3. If a candidate has not undergone a pre-employment psychological assessment within one (1) year, Human Resources will arrange the referral of the individual to the Registered Psychologist with the individual's consent. (Refer to Appendix 3.)
4. Individuals will be required to sign a consent form which will allow the Registered Psychologist to share the results of the assessment with the specified Ministry Human Resource staff. (Refer to Appendix 5.)
5. The Registered Psychologist will report his/her evaluation of the individual's psychological suitability for weapons issuance to the Ministry Human Resource staff in an email with only the individual's name and result (acceptable or unacceptable). (Refer to 3.2.)
6. Human Resources will complete the Pre-employment Checklist form and delete the email. (Refer to Appendix 6.)
7. The Registered Psychologist will send by courier the Psychological Assessment Result form (refer to Appendix 7) to the Sheriffs and Security Operations Branch where it will be maintained in a locked file. For internal candidates and successful external candidates, the form is retained for three (3) years after the individual's termination from the Alberta Public Service. For unsuccessful external candidates, the form is retained for one (1) year from the date of testing as required under section 35 of the *Freedom of Information and Protection of Privacy Act*. (Refer to 3.3.2.)

2.3 Information Users

2.3.1 The Individual's Ministry

For prospective candidates, a pre-employment psychological assessment would be conducted before an offer of employment is extended. The Ministry Human Resource Office is responsible for ensuring individuals have completed pre-employment psychological assessments.

No assessment will occur before the individual's written consent is obtained by the Registered Psychologist. (Refer to Appendix 5.)

The results of the pre-employment assessment may be reviewed by the Ministry Human Resource Advisor and the manager responsible for recruitment to or reclassification of the designated position.

2.3.2 Role of Corporate Human Resources

Corporate Human Resources has the responsibility under the *Public Service Act* for the development and implementation of the pre-employment psychological assessment policy and process. Through training and communication initiatives, Corporate Human Resources ensures that the Ministries have an understanding of the policy, and are aware of the assessment process and supporting activities.

Corporate Human Resources does not have any direct involvement in the collection, use and disclosure of personal information collected as a result of a pre-employment psychological assessment for a Ministry.

The staff within Corporate Human Resources may be called upon by Ministries to provide functional expertise in areas related to the policy and process.

Chapter 3: PROTECTION OF PERSONAL INFORMATION ANALYSIS

3.1 *Collection of Personal Information*

Section 33 of the *Freedom of Information and Protection of Privacy Act* requires that public bodies have authority to collect personal information. Most often, legislation will give authority for a particular program or activity without authorizing the collection of specific personal information. In these situations, and in this case, section 33(c) of the *Act* applies to pre-employment psychological assessment.

33 *No personal information may be collected by or for a public body unless:*

(c) *that information relates directly to and is necessary for an operating program or activity of the public body.*

Corporate Human Resources will not be collecting personal information.

Sections 3.1.1 to 3.1.3 as follows, describe Corporate Human Resources' authority to establish government-wide direction in personnel matters (e.g. through the use of policies, directives and regulations). Public bodies that are subject to the *Public Service Act* are required to adhere to corporate directions established by Corporate Human Resources and recognizing that the Government of Alberta is one employer.

Section 3.1.4 describes the affected public bodies' authority to manage personnel activities. The discussion in these sections establishes the setting and implementation of personnel policies as a legitimate operating program or activity.

Section 3.1.5 describes the legislative authority to collect personal information in support of pre-employment psychological assessment.

Registered Psychologists are not yet designated under the *Health Information Act*, however when the designation is proclaimed the service provided for the pre-employment psychological assessment would be considered an exclusion from definition of health service under section 3.1(a)(iii) of the *Act*.

3.1 For the purposes of section 1(1)(m) of the Act, the following services are excluded from the definition of health service:

(a) the review, interpretation or assessment by a health services provider of

(iii) results from a medical or health assessment of an individual, but only to the extent necessary or reasonably required to determine the individual's fitness to work;

The Registered Psychologist's assessment service is authorized under section 33(c) of the *Freedom of Information and Protection of Privacy Act* through the contractual agreement with Corporate Human Resources and under the provision of the *Health Professions Act*.

3.1.1 Authority of Public Service Commissioner to Set Personnel Policy

The *Public Service Act* [s.6(1)] provides the Public Service Commissioner with the general authority to:

- provide advice on personnel policy, legislation and administration to the Minister Responsible for Corporate Human Resources and to the Government of Alberta;
- develop and administer systems to carry out Human Resource policies and practices;
- manage a comprehensive personnel program for the Alberta Public Service;
- provide advice and assistance to senior department managers on personnel matters; and
- support the Government Reorganization Secretariat.

This general authority establishes the Public Service Commissioner's mandate to develop, apply and review the appropriate personnel activities for the Government of Alberta as one employer, including setting and maintaining personnel policy and ensuring that policy is applied in a consistent manner across all Ministries.

In the case of pre-employment psychological assessment, in consultation with the Deputy Ministers of the affected Ministries, the Public Service Commissioner determined that a pre-employment psychological assessment is required for all appointments or reclassifications to positions where the incumbent performs a law enforcement role, is required to be appointed and retain the designation of "Peace Officer" pursuant to the *Alberta Peace Officer Act*, and carries a weapon(s).

3.1.2 Application of Pre-employment Psychological Assessments for New Appointments

When a position is to be filled by in-service promotion, or by limited or open competition, or is exempt from competition, an appointment to the position is

subject to certification that the person to be appointed is qualified for the position. A pre-employment psychological assessment will be completed as part of that process for positions where the incumbent performs a law enforcement role, is required to be appointed and retain the designation of "Peace Officer" pursuant to the *Alberta Peace Officer Act*, and carries a weapon(s).

The *Public Service Act* gives the Public Service Commissioner explicit authority to determine appropriate hiring criteria. Sections 17(3) and 18(3) enable the Public Service Commissioner to put in place rules and procedures for competitions and subsequent appointment to a position.

17(3) *Competitions conducted by a department head must be conducted in accordance with the rules and procedures prescribed by the Commissioner.*

18(1) *All appointments to positions in a classification plan shall be made by the department head.*

(2) *When a position:*

(a) is to be filled by in-service promotion or by limited or open competition, or

(b) is exempt from competition under section 16(3)(a) or (b),

an appointment to the position is subject to certification that the person to be appointed is qualified for the position.

(3) *The certification shall be made in accordance with the directions of the Commissioner and by the persons authorized to do so by those directions.*

(4) *Appointments made to positions excluded from a classification plan pursuant to section 11 shall be made by order of the Lieutenant Governor in Council on the recommendation of the department head.*

3.1.3 Authority of Deputy Ministers to Manage Personnel Activities

While, as noted in the previous section, the Public Service Commissioner has the authority to set personnel policy, the activities required to support these policies are the responsibility of the Ministries. Ministerial authority is derived from the *Public Service Act* and the *Government Organization Act*.

Section 8 of the *Public Service Act* establishes the responsibilities of the Deputy Head (Deputy Minister) relating to personnel matters.

8(1) *Subject to the general direction of the department head, the deputy head:*

(a) shall oversee and control the attendance, conduct and work performance of the employees in the deputy head's department,

- (b) *may, subject to any other Act relating to the organization of a department, divide the department into branches and divisions and assign duties to positions as required for the effective performance of the department's functions, and*
- (c) *may appoint an acting officer to have, during the absence of the incumbent, the power and authority of the office for which the acting officer is appointed to act, unless such an appointment is otherwise provided for by any other Act.*

(2) *For the purposes of this Act, a deputy head has the powers and may perform the duties of the deputy head's department head.*

(3) *A department head may appoint an employee of that department as the acting deputy head of that department, and an acting deputy head so appointed has, during the absence of the deputy head or a vacancy in the office of the deputy head, the powers and duties of the deputy head.*

In addition, the *Government Organization Act* allows for a Minister to establish or operate any program considered desirable:

8(1) *A Minister may establish or operate any programs and services the Minister considers desirable in order to carry out matters under the Minister's administration.*

(2) *A Minister may institute inquiries into and collect information and statistics relating to any matter under the Minister's administration.*

Such programs and services could and do include the personnel programs and activities necessary to effectively operate the Ministry and fulfill the responsibilities that are required under Section 8 of the *Public Service Act*.

3.1.4 Authority to Collect Personal Information

The *Public Service Act* and the *Government Organization Act* as described above in sections 3.1.1 to 3.1.3 above, authorize Corporate Human Resources and the individual Ministries to carry out Human Resource management activities.

Authority to collect personal information is derived from section 33(c) of the *Freedom of Information and Protection of Privacy Act*.

33 *No personal information may be collected by or for a public body unless:*

- (c)** *that information relates directly to and is necessary for an operating program or activity of the public body.*

With pre-employment psychological assessment, personal information is collected from the prospective or current employee through the assessment as part of the information gathering involved in the recruitment/selection process.

As is the case in all recruitment or reclassification activities, reasonable and diligent judgment should be used in assessing all of the information known about an individual in making the final decision. The results of a pre-employment psychological assessment adds additional information that must be analyzed and weighed.

As described in section 2.1, *Collection of Personal Information*, the personal information to initiate a pre-employment psychological assessment is supplied by the individual while the Registered Psychologist prepares the reports containing personal information. In support of these two activities, the Human Resource Advisor determines:

- the exact personal information which is needed to carry out the assessment and no more; and
- the content of the assessment reports provided to the specified Ministry Human Resource staff is summary information and limited to that information that provides an indicator.

These reports are prepared by the Registered Psychologist who has established pre-employment psychological processes.

The Psychological Assessment Result form which contains the individual's personal information; name, address, birth date, date of testing, location, position, ministry, and result (acceptable/unacceptable) is sent by courier directly to the Sheriffs and Security Operations Branch by the Registered Psychologist.

The Sheriffs and Security Operations Branch, through a Memorandum of Understanding with Corporate Human Resources, collects and securely stores the information on behalf of the employing Ministry.

Use of the personal information obtained from the collection is discussed in section 3.6.

3.2 Manner of Collection of Personal Information

Section 34(1) of the *Freedom of Information and Protection of Privacy Act* establishes direct collection as the primary method for obtaining personal information. The same section also authorizes indirect collection of personal information with the informed consent of the individual.

34(1) *A public body must collect personal information directly from the individual the information is about unless:*

- (a) another method of collection is authorized by:*
- i. that individual*

The intent of section 34 is to ensure that an individual is aware of the type of personal information being used to make a decision concerning him or her.

For those individuals who choose to sign a consent authorizing the Registered Psychologist to complete a pre-employment psychological assessment on behalf of the employing Ministry and provide the results to the employing Ministry, this is an indirect collection under 34(1)(a)(i) of the *Freedom of Information and Protection of Privacy Act*.

The personal information provided by the Registered Psychologist is an indirect collection of information and is thus subject to s.34(1)(a)(i) of the *Freedom of Information and Protection of Privacy Act*. Pre-employment psychological assessments will only be completed if the individual to whom the assessment pertains has completed and signed a consent and authorization. (Refer to Appendix 5.)

The decision to have the psychological assessment result (only the individual's name and acceptable or unacceptable) emailed directly to the Ministry Human Resource staff by the Registered Psychologist is to expedite the recruitment/selection process. It was determined that it would be inefficient to have the individual make an additional appointment with the Registered Psychologist to pick up the result and deliver it to the Ministry Human Resource Office. As there is always a risk associated with the use of email consultation was held with the Registered Psychologist in this regards. Minimal personal information is sent and it was determined that the full name is necessary to ensure the result is matched to the correct candidate.

The Psychological Assessment Result form which contains the individual's personal information; name, address, birth date, date of testing, location, position, ministry, and result (acceptable/unacceptable) is sent by courier directly to the Sheriffs and Security Operations Branch by the Registered Psychologist.

3.3 Accuracy and Retention

3.3.1 Accuracy

The pre-employment psychological assessments are carried out by a contracted third party: a Registered Psychologist.

The Registered Psychologist is responsible for the accuracy of the results he/she provides. The information that is used to complete the Psychological Assessment Result form is based on information maintained by the Registered Psychologist, or on the basis of information that is submitted to the Registered Psychologist by the individual.

The Consent to Release Information form (refer to Appendix 5) clearly outlines that the answers to specific questions and detailed psychological test results will remain confidential with the Registered Psychologist and his/her professional colleagues except as required by the courts.

All records will be maintained in a secure location by the Registered Psychologist for a period of ten (10) years. The form also outlines the process and if the individual questions the accuracy of the information obtained, they are directed to the Registered Psychologist who is responsible for the psychological testing process. The individual further understands that they may request a debriefing from the Registered Psychologist to explain the results of the testing.

3.3.2 Records Retention

When Ministry Human Resource Offices receive the email from the Registered Psychologist regarding an individual's suitability for weapons issuance, a Pre-employment Checklist form (refer to Appendix 6) will be filled out indicating the assessment was completed and the email will be deleted. This form will be retained by the Ministry on the competition file. When an appointment or reclassification is made, the checklist is also filed in the individual's personal file. This form is retained in accordance with the retention and disposition schedules under the *Administrative Records Disposition Authority*.

All Psychological Assessment Result forms are forwarded to the Sheriffs and Security Operations Branch by the Registered Psychologist where they will be maintained in a locked file. For internal candidates and successful external candidates, the form is retained for three (3) years after the individual's termination from the Alberta Public Service.

For unsuccessful external candidates, the form is retained for one (1) year from the date of testing as required under section 35 of the *Freedom of Information and Protection of Privacy Act*.

- 35 *If an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must*
(b) retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it, or

The Sheriffs and Security Operations Branch collects and securely stores the information on behalf of the employing Ministry and retention is in accordance with the retention and disposition schedules under the *Administrative Records Disposition Authority*.

The Registered Psychologist or psychological firm is responsible for the retention of all information gathered by the Registered Psychologist and will be retained in a secure facility for a period of ten (10) years as per the standards set forth by the College of Alberta Psychologists.

3.4 Right to Request Correction of Personal Information

As described in the previous section, requests for corrections must be made to the source of the report. While the Ministry has no authority to correct information collected and reported by the Registered Psychologist, it will afford the individual the opportunity to meet with the Registered Psychologist to review findings of the assessment. This is clearly identified to the individual at the time that consent is obtained by the Registered Psychologist. This option is offered again at the time the Ministry Human Resource Advisor informs a candidate that they were not found suitable through the pre-employment psychological assessment process.

It should be noted that to a large degree the assessment findings are the interpretation and opinion of the Registered Psychologist and as such are not subject to requests for correction.

3.5 Protection of Personal Information

Psychological Assessment Result forms, provided by the Registered Psychologist, will be retained by the Sheriffs and Security Operations Branch in a secure environment. While Sheriffs and Security Operations Branch retains custody of the original information on behalf of the employer, the Ministry to whom the individual reports, is responsible for the control of that personal information. Sheriffs and Security Operations Branch keeps the original information in a secure facility. Filing cabinets are locked, as well the offices they are contained in. In addition the office area is monitored 24 hours per day by video surveillance.

The rationale for the maintenance of the information by Sheriffs and Security Operations Branch is to ensure the personal information of the individuals who have completed a pre-employment psychological assessment is securely stored. Individuals to whom the information pertains will have a right of access to that information, subject to the *Freedom of Information and Protection of Privacy Act*.

The Registered Psychologist has contractually agreed to the confidential storage of all detailed psychological assessment information and follows the professional practice standards set out by the College of Alberta Psychologists which is the regulatory body for the profession of psychology in Alberta. Individuals will be

accurately informed of the confidentiality of the information that they provide at the time of the assessment.

The only information that will be shared with the specified Ministry Human Resource staff is if an individual has been found acceptable or unacceptable for weapons issuance. The Registered Psychologist will maintain highest standards of confidentiality to protect the privacy of individuals.

3.6 Use of Personal Information

Personal information that is collected and reviewed through the implementation of this policy is only to be used for the purposes described in Appendix 1 and Appendix 2.

The result of a pre-employment psychological assessment will be used to determine if an individual is suitable for weapons issuance, which is a requirement of the designated positions.

It should be noted that the manner in which this process will unfold is a Human Resources matter and is outside the scope of this Privacy Impact Assessment.

3.7 Disclosure of Personal Information

Information is disclosed only to the authorized users. (Refer to Appendix 2.) The Process Flowchart (refer to Appendix 8) will assist in identifying that disclosure.

The Registered Psychologist is a third party who acts on behalf of the employer and who has been authorized by the employer to collect information with an individual's consent and to disclose information only to either the employer or to the individual the information has been collected about and has no authority to use or disclose information on its own. As such, the Registered Psychologist:

- is responsible for collecting, maintaining and securing the personal information;
- discloses to the employer the results of pre-employment psychological assessments (refer to Section 2.2 in Chapter 2); and
- maintains custody and protects the information collected.

Corporate Human Resources manages the contract with the third party (the Registered Psychologist) who conducts the pre-employment psychological assessments.

Other than to the individuals to whom the information from the assessment relates, there will be no routine disclosures of personal information collected as a result of the assessments.

Any request for disclosure of this information must be with the individual's consent or in accordance with section 40 of the *Freedom of Information and Protection of Privacy Act* [e.g. s.40(1)(h) – disclosure for the management or administration of personnel who need it to do their business].

3.8 Disclosure for Research or Statistical Purposes

The Registered Psychologist will maintain a separate database for the raw data results of all candidates assessed by the Ministry for which they were assessed. These will be categorized by weapons issuance recommendation. This will allow for an ongoing comparison against the established norms of the two (2) psychometric testing being used. As a result, any discrepant norm cut off points can be adjusted to reflect any variances by Ministry.

Personal information is not disclosed for research or statistical purposes.

Chapter 4: POTENTIAL PRIVACY IMPACTS

4.1 *Potential Privacy Impacts*

Individuals who are applying for or seeking appointment or reclassification to positions will be advised in advance of the requirement for a pre-employment psychological assessment. This applies to designated positions where the incumbent performs a law enforcement role, is required to be appointed and retain the designation of "Peace Officer" pursuant to the *Alberta Peace Officer Act*, and carries a weapon(s).

The Psychological Assessment Result Form (refer to Appendix 7) which contains the individual's personal information; name, address, birth date, date of testing, location, position, ministry, and result (acceptable/unacceptable) is sent by courier by the Registered Psychologist directly to the Sheriffs and Security Operations Branch.

Ministry Human Resources staff will be limited to access only the information that relates to the individuals seeking employment or reclassification, and will only be provided with the information that the individual was assessed as acceptable or unacceptable for weapons issuance.

Individuals must authorize the collection and disclosure of pre-employment psychological assessment information. (Refer to Appendix 3, 4 and 5.) Should they choose not to consent, in the case of recruitment, no employment offer will be extended.

The contract between Corporate Human Resources and the Registered Psychologist describes the services to be provided to administer pre-employment psychological assessment. All information provided by either party to the other party is subject to the disclosure and protection provisions of the *Freedom of Information and Protection of Privacy Act*. The Contract and service deliverables contain clauses outlining responsibilities for the confidentiality and security of information.

4.2 *Conclusion*

The intent of the Directive is to introduce due diligence in ensuring individuals appointed as Peace Officers and who carry weapons are psychologically suitable for weapons issuance due to the associated risk. This will assure Albertans that the employer has been duly diligent when appointing and/or reclassifying individuals to designated law enforcement roles, and mitigate the risks to the individual, their co-workers and the public caused by the use of weapons and application of force.

The Directive will also create a common, consistent cross-ministry approach to pre-employment psychological assessment within the Government of Alberta based on job-specific behavioural competencies.

Individuals will be informed in advance of the requirement for a pre-employment psychological assessment, and will provide informed and written consent prior to participating in the assessment. Using a series of validated psychological assessment tools, the Registered Psychologist will provide a professional opinion on the individual's suitability for weapons issuance. The individual will be assessed as acceptable or unacceptable and no further information will be provided to the Government of Alberta. The individual, especially in those cases where they were found unacceptable, can request a follow up discussion with the Registered Psychologist.

The Directive was developed in consultation with the four affected Ministries, and balances accountability to Albertans with individuals' rights to privacy while they undergo a pre-employment psychological assessment.

APPENDICES

APPENDIX 1 Directive

APPENDIX 2 Administrative Guideline

APPENDIX 3 GOA Consent/Authorization Form

***APPENDIX 4 Consent to Release Information Form
(for the results of a previous assessment)***

***APPENDIX 5 Consent to Release Information Form
(Registered Psychological)***

APPENDIX 6 Pre-employment Checklist Form

APPENDIX 7 Psychological Assessment Result Form

APPENDIX 8 Process Flowchart