

FORM 3 (AGENCY REPORT) (Due on or before July 31, 2022)

Agency:	Office of the Staten Island Borough President		
Agency Privacy Officer:	Betsy A. Vinciguerra		
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Date of Report:	July 29, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<u>Government Program Information</u> <input type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Status Information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<small>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</small>	

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

The collection and retention of identifying information is specific to divisions within the Borough President's Office: Personnel, Constituent Services, Land Use, Counsel, and Contracts & Procurement.

The identifying information collected corresponds to the core functions of each of these divisions. Taking each in turn:

- The Personnel division collects and retains identifying information to vet, process, and manage employee records for the purpose of onboarding new employees, managing payroll and benefits, and performing other core HR functions.
- The Constituent Services division is the Agency's liaison between residents and City agencies. The identifying information collected and retained is used primarily to refer complaints/issues to the appropriate City entities and conduct follow up with constituents on the status of those complaints/issues. This division also collects identifying information to discharge the Agency's duty under the Charter to appoint residents to Community Boards.
- The Land Use division includes the Topographical Bureau which collects and retains identifying information to provide services and discharge duties under the Charter: house number operations, map requests, and constituent inquiries.
- The Agency's Counsel division collects and retains identifying information to comply with the NYS Public Officers Law §89 in the administration of FOIL requests and to respond to and monitor the status of relevant constituent inquiries.
- The Contracts and Procurement division collects and retains identifying information to execute core procurement functions, process applications for and disburse grants, and comply with City rules and regulations related to contracting/procurement such as M/WBE requirements.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
<p><u>Personnel</u></p> <p>The Personnel division collects the most diverse types of identifying information as indicated in Section 1 of this form. This information is collected from applicants for employment and current employees—and interns to a lesser degree—for vetting during the hiring process and, mainly, for payroll and benefits administration. The information collected is specified by standardized forms mandated by City government—specifically the Department of Citywide Administrative Services, Office of Payroll Administration (including via the New York City Automated Personnel System), and the Office of Labor Relations—as a condition of employment. The information collected is then disclosed to the City for administrative purposes consistent with human resources policies and procedures that apply to all City agencies. Further, the Personnel division, per the City’s Department of Investigations recommendations as it concerns City Fleet, collects reports of GPS telematics with real-time Automatic Vehicle Location of all its Agency fleet. The GPS telematics allows the Agency to access and maintain records of every trip traveled — such records, however, are not disclosed.</p> <p>Note: Arrest records or criminal conviction information is not collected, but rather provided to the Personnel division by the Department of Citywide Administrative Services. Eligibility for/receipt of public assistance or city services is both <i>collected and disclosed only upon request</i> from the Department of Citywide Administrative Services. Identifying information is also collected and disclosed for those employees participating in the New York City Employees’ Retirement System</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p><u>Constituent Services</u></p> <p>The Constituent Services division collects the largest quantity of identifying data, however such data is mostly limited to name, address, and contact information—unless special circumstances specific to a constituent matter necessitate collecting additional information such as eligibility for/receipt of public assistance or city services; status as victim of domestic violence or sexual assault; status as crime victim or witness; or any scheduled court appearances. The primary function of this division is to receive, refer, and manage constituent requests, complaints, and miscellaneous issues. The identifying information is collected by this division to ascertain the appropriate City agency for referral, monitor the status of constituent matters post-referral, and allow division employees to communicate directly with those constituents throughout the duration of the “case” until its resolution.</p> <p>The Agency has several points of contact for constituents. Therefore, identifying information is collected across several mediums: telephone “Helpline”, email, official Agency website, official Agency mobile app “BP Assist,” and social media platforms like the Agency’s Facebook page. The Constituent Services division refers requests, complaints, or miscellaneous issues to the appropriate City agency—and then serves as the liaison between the constituent and the agency until the resolution of that matter.</p> <p>The Constituent Services division collects a broader set of identifying information including employment status and employer information in its ancillary function of vetting and appointing Community Board members pursuant to the City Charter. Since ballot proposals</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine</p> <p><input type="checkbox"/> Approve as routine by two or more agencies</p> <p><input type="checkbox"/> Approved by APO on a case-by-case basis</p>

<p>passed in 2019, Borough Presidents are mandated by the City Charter to collect community board demographic data, which includes sexual orientation and race. This information is collected via a standardized form developed by the Agency and disclosed to the relevant Community Board when an applicant is recommended by the Agency for appointment. Moreover, this community board data is subject to FOIL, in which we would provide the relevant information in a de-identified manner to protect our community board members' privacy.</p>	
<p><u>Land Use</u></p> <p>The Land Use division's collection of identifying information is confined to its Topographical Bureau. Name, address, and contact information data is collected by this division to monitor and keep a record of map requests, constituent inquires, and house number operations generally – including requests, change requests, and verifications. This basic data is also retained to maintain a record of fees paid for these and other services provided by the Topographical Bureau.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p><u>Counsel</u></p> <p>The Counsel division collects names and contact information to administer FOIL requests, communicate with requestors, and maintain a record of all requests to the extent required by law. This basic information is also collected by the division to manage relevant constituent inquiries.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p><u>Contracts & Procurement</u></p> <p>The Contracts & Procurement division collects and retains identifying information—names, addresses, contact information, income tax information, employer information, social security numbers—via standardized forms to execute core procurement and grant-making functions in compliance with City law, rules, and regulations. Additionally, this division collects data such as gender identity and race in compliance with City policies such as M/WBE contracting requirements. These standardized forms and contracts containing that collected identifying data are disclosed to the City as required across all agencies.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(b)</p>	

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

<p>Describe Type of Collection or Disclosure</p>
<p>N/A – the Agency's collections and disclosures are routine.</p>
<p> </p>

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

<p>5. Describe the agency’s current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.</p> <p>NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.</p> <p>The Agency has incorporated and abides by the “Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies,” as issued by the City in April 2017, as well as the “Citywide Privacy Protection Policies and Protocols,” as issued by the City on January 28, 2019.</p>	
<p>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.</p>	<p>The policies implemented are reinforced and supported by directors/supervisors in each Agency division. Routine collections and disclosures are clearly defined by all directors/supervisors to their direct reports—as are reporting protocols for questionable or non-routine requests.</p>
N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)	

<p>9. Describe the agency’s current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.</p>
<p>Proposals for disclosures of identifying information to other City agencies are handled by Agency counsel in consultation with Corporation Counsel.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

<p>10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.</p>
<p>The classification of routine disclosures was developed by prior Agency Counsel (former APO) in consultation with division directors/supervisors. Any disclosure matter outside of that routine classification or those deemed ambiguous, vague, or non-routine are flagged and elevated to Current Agency General Counsel for classification.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.
Currently, all Agency disclosures are routine and executed by the respective directors/supervisors of the Personnel, Constituent Services, Land Use, Counsel, and Contracts & Procurement divisions. Disclosures approved by the APO on a case-by-case basis would be handled by the relevant division director/supervisor and Agency Counsel.
N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.
The Agency remains committed to limiting the collection, retention, and disclosure of identifying information to what is absolutely necessary for the effective execution of core Agency functions and mandates. No alternative policies have been implemented since 2020.
N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency's use of agreements for any use or disclosure of identifying information.
There are no formal agreements given that the Agency's disclosures are routine and made to City agencies.
N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
City Agencies (as well as Community Boards)	In the execution of routine and/or City Charter mandated core functions.	The disclosures are necessary for the effective execution of core Agency functions and are confined to the following divisions: Personnel, Constituent Services, Land Use, Counsel, and Contracts & Procurement.
New York State Agencies	In the execution of routine and/or City Charter mandated core functions.	The disclosures, which are confined to Constituent Services, are necessary for the effective execution of core Agency functions and help constituents receive government services.
		N.Y.C. Admin. Code §23-1205(a)(1)(c)

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15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

The Identifying Information Law allows the Agency to formalize systemic practices in relation to the collection, retention, and disclosure of identifying information at an organizational level. To add, the Agency will emphasize the limitation of the disclosure of identifying information, when possible and appropriate, as non-routine requests or proposals arise.

N.Y.C. Admin. Code §23-1205(a)(2)


16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

The privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee have impacted the Agency because it clearly sets forth the baseline requirements for us to follow as it concerns the protection of identifying information. Similar to the Identifying Information Law, the privacy policies and protocols provide a formalized systematic practice in relation to the collection, retention, and disclosure of identifying information at an organizational level. Moreover, these policies and protocols have impacted our practices to ensure we protect the integrity of our employees and constituents identifying information as well as limit risk of misuse or loss.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:			
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ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW			
Agency Head (or designee):			
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Electronic Signature:		Date:	7/29/2022

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