

FORM # 3
Agency Report Template

(Revised April 2020)

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial reports related to their collection, disclosure, and retention of identifying information and their privacy protection practices. Agencies should review their 2018 reports, and begin collecting any updated information as soon as possible. The agency's updated and completed Inventory Form (Form #1), together with the Routine Designation Forms (Form #2) and Forms for the Agency Privacy Officer Approval of Collections and Disclosures on a Case-by-Case Basis (Form #5), should contain a significant amount of the information necessary to complete the report. While the Law does not specify who must complete the report, the APO is best positioned to do so, with final review and approval before submission by either the agency's General Counsel, or other counsel to the agency.

Agencies should review their 2018 versions of Form #3: Agency Report Template, and using this information and any updates to this report since 2018, complete a new Form #3 for 2020. This Form must be submitted to the CPO at PrivacyOfficer@cityhall.nyc.gov. The report must also be submitted to the Mayor, at MOReports@cityhall.nyc.gov, City Council Speaker, at reports@council.nyc.gov and the Citywide Privacy Protection Committee, at NYCPrivacyCommittee@cityhall.nyc.gov. Additionally, per N.Y.C. Charter §1133(a), agencies must submit their report to the City's Department of Records and Information Services online submissions portal at <https://a860-gpp.nyc.gov> within ten days of submission to the CPO, the Mayor, the City Council Speaker, and the Citywide Privacy Protection Committee. **Agency reports must be signed by the agency head or designee prior to submission.**

NOTE: For questions requesting information about existing agency policies relating to the disclosure of identifying information, agencies should describe their specific agency policies, and may also reference the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies, issued as City policy in April 2017, and the Identifying Information Law Rider.

IMPORTANT NOTE

THE INFORMATION CONTAINED IN THE AGENCY REPORT WILL BE PUBLIC INFORMATION. PREPARERS OF THIS REPORT SHOULD CONSULT WITH THEIR AGENCY'S GENERAL COUNSEL OR THE CHIEF PRIVACY OFFICER REGARDING ANY QUESTIONS AS TO WHETHER THE AGENCY'S RESPONSES TO QUESTIONS IN THE REPORT ARE PROVIDED IN ACCORDANCE WITH APPLICABLE LAW AND CITY POLICY.

**THESE INSTRUCTIONS AND VERSION CONTROL INFORMATION
ON THE FOLLOWING PAGE SHOULD BE DETACHED
FROM THE REPORT BEFORE SUBMISSION**

VERSION CONTROL

Version	Description of Change	Approver	Date
2.0	Updated completion date; miscellaneous clarifying revisions.	Laura Negrón Chief Privacy Officer, City of New York	April 2020
1.0	First Version	Laura Negrón Chief Privacy Officer, City of New York	April 2018

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AGENCY REPORT

(due on or before July 31, 2020)

Agency:	Office of the Staten Island Borough President		
Agency Privacy Officer:	Isaac Gorodetski		
Email:	igorodetski@statenilandusa.com	Telephone:	718-816-2116
Date of Report:	7/30/2020		

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)*	<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	<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): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
<small>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</small>	

2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.
<p>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.</p> <p>The identifying information collected corresponds to the core functions of each of these divisions.</p>

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 types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.

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 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><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>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>	<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><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>	<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><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>	<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>N.Y.C. Admin. Code §23-1205(a)(1)(b)</p>	

<p>4. If applicable, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.</p> <p>Add additional rows as needed.</p>	
<p>Describe Type of Collection or Disclosure</p>	
<p>N/A – the Agency’s collections and disclosures are routine.</p>	
<p>N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)</p>	

<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.</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 such policies specify that access to such information must be necessary for the performance of 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 such 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>
<p>N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)</p>	

<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.</p>
<p>Proposals for disclosures of identifying information to other City agencies are handled by Agency counsel in consultation with Corporation Counsel.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)</p>

<p>10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.</p>
<p>The classification of routine disclosures was developed by Agency Counsel (now 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 Agency Counsel for classification.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)</p>

<p>11. Describe the agency’s current policies regarding which divisions and categories of employees within an agency make disclosures of identifying information following the approval of the privacy officer.</p>
<p>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.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)</p>

<p>12. Describe whether the agency has considered or implemented, where applicable, any alternative policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.</p>
<p>The Agency is currently limiting the collection, retention, and disclosure of identifying information to what is absolutely necessary for the effective execution of core Agency functions and mandates.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(4)</p>

<p>13. Describe the agency’s use of agreements for any use or disclosure of identifying information.</p>

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)

15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.

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 the collection, retention, and disclosure of identifying information.

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 FOR AGENCY REPORT

Enter the contact information for the Preparer of this Inventory Form.

Name:	Mariapaola La Barbera		
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Agency Privacy Officer / Approver of Completed Form

Name:	Isaac Gorodetski		
Title:	Director of Public Policy & General Counsel		
Division/Unit:	Counsel		
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Signature:		Date:	7/30/2020

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