

**The City of New York
311 Customer Contact Center
Client Information Privacy Policy
("311 Privacy Policy")**

Last Updated on 6/29/19

The City of New York ("City") is committed to maintaining the confidentiality of the information provided by clients by telephone, online or through electronic means to the 311 Customer Contact Center ("311 Contact Center"). This commitment is reflected herein, in the City's 311 Contact Center Client Information Privacy Policy ("311 Privacy Policy"), a formal statement of principles concerning the protection of client information provided to the 311 Contact Center. The objective of the 311 Privacy Policy is the responsible management of 311 client information. It is intended to reflect the high regard with which the City views the management of information provided by clients. The City will review the 311 Privacy Policy periodically to ensure it is relevant and remains current with changing laws and technologies. Users are encouraged to periodically review the Privacy Policy. Clients' continued use of the service constitutes agreement to this Privacy Policy and any updates. The City is not responsible for breaches of security by third parties.

Principle 1 – Accountability

Responsibility for ensuring compliance with the provisions of the 311 Privacy Policy rests with the senior management of the 311 Contact Center, to be accountable for 311 Contact Center compliance with the 311 Privacy Policy.

Principle 2 – Limiting the Collection of Personal Information

The 311 Contact 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 Contact 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 Contact 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 Contact Center shall not use personal information for purposes other than those for which it was provided, except as otherwise disclosed to the client or approved by management.

3.1 Only those City employees who require access for the purposes set forth in 2.1 are to be granted access to clients' personal information.

3.2 Personal information is subject to disclosure, without the knowledge and consent of or notice to the client, only for the purposes set forth in 2.1.

3.3 The 311 Contact Center shall adhere to the Automatic Number Identification ("ANI") Terms and Conditions, as prescribed by New York State 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 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 Contact 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 Contact 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 Contact 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 and then erased.

Principle 5 – Security Safeguards

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

- 5.1 The 311 Contact 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.

Principle 6 – Transparency

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

Principle 7 – The Internet and Electronic Communications

In order to improve the usability of 311Online, 311 collects several categories of information from users. This information includes the following:

- a) The apparent Internet Protocol (“IP”) address of the Internet Service Provider (“ISP”) and/or computer if the computer has an IP address assigned directly to it.
- b) The apparent Fully Qualified Domain Name (“Domain Name”) of the Internet Service Provider and/or computer, if the computer has a domain name assigned directly to it.
- c) The type of browser (such as, for example, Internet Explorer, Mozilla, Safari) used and the operating system.
- d) The date and time a user visited the site.
- e) The web pages accessed at the site, as well as any applications used and forms data.
- f) The Uniform Resource Locator (“URL”) of the site which user visited prior to 311Online (if detectable), if such user did not connect directly to 311Online, or use it as a homepage or “Portal.”

Clients may elect to create an individualized user account via 311Online. An account provides logged-in clients access to an activity dashboard where they can monitor the status of their submitted service requests. Information collected through the account creation and maintenance process is utilized in accordance with the principles contained herein.

- 7.1 This information is used to identify site performance needs and to improve services offered on 311Online. 311 does not use this data for commercial or marketing purposes and does not sell, exchange or otherwise distribute the collected data for commercial or marketing purposes.
- 7.2 If users provide personal information through electronic communications or through an interactive web-based application, 311 will use this information to efficiently address user needs.
- 7.3 311 may host content on third-party sites such as Facebook, Twitter and Instagram. Any information provided by users on the public message boards of Facebook, Twitter and Instagram or through direct messaging features of those sites may be utilized by 311 in accordance with Principles 2, 3, 4, 7 and 8. Any activity on third-party sites is governed by the security and privacy policies of those sites. Additionally, if users disclose personally identifiable information or personally sensitive data directly through the public message boards of third-party sites, this information might be collected and used by others.
- 7.4 Any links to information and services located on websites maintained by other public agencies or private organizations are subject to the privacy policy and terms of usage of that particular website. Such link is not intended as an endorsement of the website nor is 311 responsible for the processing of personal data or the privacy of such sites. 311 users linking to another site are encouraged to examine the security and privacy policies of that site.
- 7.5 By uploading videos, pictures or audio files to any of 311’s platforms, 311 clients agree that the City may use those files for whatever purposes it sees fit. The appropriate City agency may use these files to get an initial assessment on the complaint logged, giving that agency the ability to act more appropriately. The City cannot guarantee that such files will be reviewed or relied upon by its investigators.
- 7.6 Where personal information is reasonably necessary to provide ongoing assistance to a client, 311 shall retain that information on the appropriate platform that is reasonably sufficient to enable the provision of such service until it is determined that it is no longer necessary. Additionally, 311 shall maintain reasonable and systematic controls and practices for all information and records retention and destruction with regards to all platforms which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained.

Principle 8 – 311 Mobile App

The City may provide push notifications through real-time messaging alerting users about Citywide information and events such as, but not limited to, Alternate Side Parking (ASP) rules and school closings. These notifications will only be provided to users who opt-in to receive such notifications. If a user subsequently chooses to no longer receive the push notifications, such notifications may be disabled by changing the settings via the Settings Page of the mobile device.

- 8.1** The collection of personal information on the Mobile App shall be limited to that which is reasonably necessary to address client needs. Personal information collected on the 311 Mobile App will be used to ensure compatibility with technology used by 311 clients and to improve services on the Mobile App. This information might include, but not be limited to: location of mobile device; device ID; type of browser and operating system; date and time user accessed; photos and media files or documents sent to the Mobile App; domain name of Internet Service Provider and/or mobile device; sections of the App accessed and forms data; and the IP address of the Internet Service Provider and/or the mobile device. 311 does not use this data for commercial or marketing purposes and does not sell, exchange or otherwise distribute the collected data for commercial or marketing purposes.
- 8.2** Any photos taken and uploaded through the Mobile App may reveal the location coordinates of where the photo was taken.

Principle 9 - Illegal Activities

311 fully cooperates with law enforcement agencies in identifying those who may access services for illegal activities. 311 reserves the right to report to law enforcement agencies any activities that we in good faith believe may be unlawful.

Definitions

311 Customer Contact Center – An entity established by the City of New York, and administered by DOITT and the Mayor’s Office of Operations for the purpose of providing callers and users online or through electronic means with point of contact from which to obtain information on non-emergency City services. All rights and obligations herein pertaining to the 311 Contact Center apply to the City of New York and DOITT.

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

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

Disclosure – Making personal information available to a third party.

Domain Name – An alphanumeric value that represents the plain language translation of the IP address assigned to a specific user or collection of users.

Employee – An employee, consultant or contractor of the 311 Contact 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.

Internet Protocol (“IP”) Address – A numeric value assigned to an Internet Service Provider, a computer network, an individual computer or router, or a firewall so that other computers on the Internet may direct Internet messages or other traffic to such address.

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 Contact 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.”

Push Notification – The delivery of information from a software application to a computing device without a specific request from a user.