



Approving Body: Board of Directors	Policy Name: Privacy Policy
Effective Date: March 1, 2017	Committee Oversight: Governance
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FRED VICTOR CENTRE PRIVACY POLICY

Fred Victor Centre (FVC, Fred Victor) is a not-for profit, multi-service charitable organization that works to improve the health, income and housing stability of people experiencing poverty and homelessness. FVC is committed to protecting the personal information of service users, employees, volunteers, students, Board members and donors, providing the necessary safeguards to secure that information and ensuring its accuracy.

This Privacy Policy applies to all activities of FVC involving the collection, use and disclosure of personal information. In its day-to-day operation, Fred Victor relies on the collection of information, including personal information, by its employees and other representatives. Maintaining appropriate confidentiality in collecting, using and disclosing client and employee personal information is extremely important to Fred Victor. As such, Fred Victor has developed the following privacy policy using the requirements established by the *Personal Health Information Protection Act ("PHIPA")*, Canadian Standards Association (CSA) Model Privacy Code and applicable legislation including the Freedom of Information and Protection Privacy Act (FIPPA), to inform service users, employees, volunteers, students, Board members and donors of our continuing commitment to the protection of their personal information and to assist employees and other representatives of Fred Victor in fulfilling that commitment.

Personal Information

For the purpose of this policy "Personal Information" means any factual or subjective information, recorded or not, about an identifiable individual or an individual whose identity may be inferred or determined from the information. Unless otherwise stated, the term personal information includes personal health information under the terms of this policy. Fred Victor may collect the following personal information in relation to service users, employees and others working with Fred Victor, as applicable:

- For service users: work records and observational notes made in the course of Fred Victor's dealings with each service user, name and contact information, demographic information, financial and personal health information regarding the service users' condition and medical history, as provided by the service user, a health care provider, or other person expressly authorized by the service user.
- For employees: medical, benefits, Workplace Safety and Insurance information, employment information related to collective bargaining and the employment relationship (including but not limited to employer, application material, classification, wages, benefits, duties performed evaluations, grievance and other legal complaint-related information, correspondence, investigation records, etc.) information for completing TD1 Forms.
- For volunteers: name, contact information, application material, work history.
- For Board Members: name, contact information and applications for membership on the Board.
- For donors: names, contact information and gift history.

Accountability

FVC is responsible for the Personal Information under our control. In order to fulfill this responsibility, employees are responsible for the day-to-day care and control of Personal Information and have taken the following measures to ensure compliance with this Privacy Policy:

- (a) developed procedures to protect personal information;
- (b) developed procedures to receive and respond to complaints and inquiries;
- (c) trained our staff about our policies and practices respecting personal information; and
- (d) developed and distributed information to the public explaining our policies and procedures respecting Personal Information. Fred Victor shall make every effort to ensure that service users, employees and others working with Fred Victor have access to its policies and practices relating to the management of personal information.

If any employee, student, Board member or volunteer misuses the personal information of another employee, a student, member, volunteer or client, or otherwise contravenes this policy, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of employment.

If any external individual or organization misuses the personal information of an employee, student, volunteer or service user of Fred Victor, this will be considered a serious issue for which action will be taken, up to and including termination of the service or employment agreement between Fred Victor and that individual or organization.

Collection

Fred Victor is committed to assisting service users by supporting them while living in the community in ways that empower them to live with dignity and fulfillment. In order to meet these goals, Fred

Victor may collect, use and disclose personal information of clients and employees, when applicable, for the following purposes:

- To verify the identity of service users and employees
- To register service users for FVC services and employees for FVC events
- To assess service users' individual needs and determine how best to assist service users who require assistance from FV
- To permit and assist FVC employees to communicate with each other
- To administer its obligations under collective agreements and other employment relationships
- To investigate and resolve grievances, Workplace Safety & Insurance Board claims, long-term disability claims, Ontario Labour Relations Board issues and other legal issues, workload and quality care issues and professional practice issues
- To detect and prevent fraud
- To meet regulatory requirements
- To monitor the provision and use of FVC services for reporting purposes
- To assess eligibility for products and services
- To communicate and provide information about client services and employee benefits and services
- To communicate and provide information about up-coming events, programs, services and other opportunities to service users and employees
- To provide employees the appropriate access to the personal information that is the subject of this policy.

FVC will only collect personal information for a purpose that is either identified in this policy or expressly identified at the time the information is collected.

Consent

Definitions

Implied Consent

Implied consent is consent that is not given explicitly, but which can be inferred based on the individual's actions and the facts of a particular situation

Express or Explicit Consent

Express consent is consent that is given either verbally or in writing

Knowledgeable Consent

Knowledgeable consent is consent that is given in circumstances where it is reasonable to believe that the individual giving consent knows the purposes of the collection, use or disclosure and that the individual may give or withhold consent.

FVC obtains the consent of individuals for the collection, use or disclosure of personal information about them, except where consent is not required by law, including in circumstances of emergencies where the life, health or security of the individual is threatened.

Where information other than personal health information is available and meets the stated purpose for which the information is being collected, personal health information will not be collected by FVC or otherwise taken into its control; the other information will be collected instead. Similarly, FVC will not collect more personal information of any kind than will be necessary to achieve its stated purpose in collecting information.

FVC will only collect personal information with the knowledgeable consent of the individual it pertains to, and, in relation to personal health information, with the consent of the affected person to the collection of specific information. Consent may be expressly given or implied in the circumstances, except where noted to the contrary to this policy. FVC will not obtain the consent of any person to the collection or disclosure of any personal information by deception or applying coercion to that affected person.

For the purposes of this policy, coercion does not include advising a service user or prospective service user that FVC may not be able to assist them if they do not have the service user's consent to access specific information necessary to the provision of services. Similarly, coercion does not include, for the purposes of this policy, advising an employee or prospective employee that FVC requires certain minimum information for them to fulfil the bona fide occupational requirements of the job (such as being able to contact them or provide pay cheques).

For employees, they will be deemed or implied to have given knowledgeable consent to the collection and disclosure of personal information, other than personal health information, in accordance with this policy by confirming that they have reviewed and understood this policy or when they otherwise apply for or accept employment with FV.

When a service user is asked to consent to the collection or disclosure of personal health information in accordance with this policy, this policy, or a summary of same, will be reviewed with the client prior to the client executing consent.

Where an individual is required to give consent or has given consent to the collection, use of or disclosure of their personal information, they may, on reasonable notice, withdraw their consent at any time, subject to any restrictions imposed by existing contracts or law. FVC will inform the individual of any consequences of withdrawing consent, such as where FVC may not be able to provide certain services or where the withdrawal may be inconsistent with continued employment or benefits, prior to confirming withdrawal of the consent. Consent can be withdrawn by contacting the Privacy Officer

who will ensure that the individual's personal information is no longer used or disclosed by the organization.

FVC shall take all reasonable steps to ensure the accuracy of personal information it collects. Where information is provided by an individual, it will be presumed to be accurate. Where information is received from a third party, FVC will make reasonable efforts to corroborate the information with another source or obtain documentary support.

Limiting Use, Disclosure, and Retention

FVC does not use personal information for purposes other than those for which it was originally collected, unless it has first obtained the consent of the individual or as otherwise required or permitted by law.

FVC will only disclose personal health information to a party, who is not a health information custodian, or to a health information custodian for a non-health care related purpose with the express, knowledgeable and written consent of the person affected.

We do not sell, rent or trade any personal information.

Safeguards

FVC protects personal information through the use of security safeguards appropriate to the sensitivity of the information, including the following measures:

- (a) Physical security measures, such as locked doors, and locked file cabinets;
- (b) Organizational measures, such as staff training, confidentiality agreements for staff and volunteers, restriction of access, and security clearances;
- (c) Technological measures, such as passwords and cybersecurity protection; and
- (d) Contractual measures, such as agreements with third parties who process personal information that mandate privacy protections equivalent to those of FVC.

Storage

FVC is committed to ensuring that personal information is protected from unauthorized access, unintended disclosures or theft. This protection is provided by firewalls in the computer system, passwords to protect databases, locked filing cabinets and restricted access to the offices where the information is maintained.

Access to personal information is restricted to FVC employees who need access to carry out their duties. FVC has in place a system for the categorization of employees to restrict the access of

employees to the specific categories of information required and whether access to employee or client information is required.

FVC maintains the physical, technological and organizational procedures and safeguards necessary to protect all personal information against loss, theft, unauthorized access, disclosure, copying and modification. The safeguards, which are set out in the procedures accompanying this policy and will be reviewed and updated regularly, reflect the sensitivity of the personal information. This encompasses paper, electronic databases, reports, and all records.

FVC has secure electronic safeguards in place, password sensitive computer access and laptop password protection. Employees who receive agency reimbursement for work phone use must verify that mobile devices are password protected.

Access and Correction

Individuals have a right to seek access to their own personal information in the possession and control of FV, subject to restrictions contained in this policy or by law. They also have a right to know if their information has been disclosed to any third parties. If individuals wish to access their personal information, they need to contact the Privacy Officer in writing.

To guard against fraudulent requests for access, FVC will require sufficient information to allow it to confirm that the person making the request is authorized to do so before granting access. This may occur, for example, where an authorized representative seeks information about a former or deceased employee, student or volunteer or where law enforcement authorities seek information about an employee, student or volunteer.

It is FV's goal that personal information that is collected, used and disclosed by FVC is as accurate, complete and up to date as is necessary to fulfill the intended purpose and to minimize the possibility that inappropriate information may be used in a decision about an individual.

Where there is a dispute about whether or not the personal information is accurate, which cannot be resolved, FVC will briefly record the nature of the dispute and, if it deems necessary and practical to do so, communicate this to anyone with whom it shared that information.

Except where otherwise required by law, it is FV's policy that access to personal information may not be permitted where the record or information in the record

- is subject to a legal privilege that restricts disclosure of the record or the information to the individual;
- was collected or created primarily in anticipation of or use in a proceeding, and the proceeding, including any appeals, has not been concluded;
- where disclosure in the circumstances of the request is prohibited by law ;
- concerns persons other than the individual seeking access;
- is of such a nature that granting access could reasonably be expected to

- result in a risk of serious harm to the treatment or recovery of the individual or a risk of serious bodily harm to the individual or another person;
- lead to the identification of a person who was required by law to provide information in the record to FVC or the person from whom FVC received the record; or
- lead to the identification of a person who provided information in the record to FVC explicitly or implicitly in confidence and FVC considers it appropriate in the circumstances that the identity of the person be kept confidential;
- was collected or created in the course of an inspection, investigation or similar procedure authorized by law, and that procedure, including appeals, is not complete;
- relates to any dispute settlement process between FVC and the individual seeking access; and,
- Where in FV's view the request is frivolous, vexatious or made in bad faith

Destroying Personal Information

FVC retains personal information only for as long as is required to fulfill the purposes stated within this policy, and to meet all requirements imposed by law.

Notes and documents prepared by FVC will be shredded as soon as they are no longer necessary. . . Each program will determine the time period for which retention of these materials is necessary and ensure that this time period is incorporated into the procedures accompanying this policy. Confidentiality shall be maintained during disposal and destruction of personal information.

Information that is obtained inadvertently, that does not fulfill a purpose under this policy or for which consent has not been properly given, shall be destroyed immediately.

If access to Personal Information cannot be provided, the Privacy Officer shall provide the individual with written reasons for denying access.

Children's Privacy

For children under 13 years of age, we will only collect, use or disclose Personal Information with express consent of a parent or legal guardian.

Website Data and Analytics

FVC may use cookies, log files and web beacons to collect information regarding the use of the website, which information is generally not identifiable. "Cookies" are small text files placed on your hard drive that assist us in providing a more customized website experience. For example, a cookie can be used to store registration information in an area of the site so that a user does not need to re-enter it on subsequent visits to that area.

In addition, in order to properly manage the FVC Website, we may anonymously log information on our operational systems, and identify categories of visitors by items such as domains and browser types. These statistics are reported in the aggregate to our webmasters.

To gather visitor statistics and manage cookies, we may use electronic images called a "single-pixel GIF" or "Web beacon." Web beacons allow our third-party tracking tools, to gather simple

information such as the IP address of your computer, the time the material was viewed and the type of internet browser used to access the page. This information is tracked on the third-party tracking tools' servers and reported in aggregate to our webmasters. Individuals may be able to turn off a browser's cookies. This action will prevent web beacons from tracking your specific activity, but the web beacon may still record an anonymous visit from your IP address.

Complaints

Individuals may direct a complaint concerning compliance with the Privacy Policy to FVC's Privacy Office. The complaint must be in writing. The individual will be asked to provide the FVC Privacy Contact with the following information in writing:

- (a) Name, address and email where the individual prefers to be reached;
- (b) Nature of the complaint, relevant details, what the individual would like us to do; and
- (c) Name of Fred Victor Centre staff with whom the individual has already discussed the issue, if applicable.

Within a reasonable time of receipt of the complaint, the Privacy Officer will conduct an investigation into the complaint. The format of this investigation will vary depending on the circumstances.

We investigate all complaints. If a complaint is found to be justified, we will take appropriate measures to respond.

Privacy Officer

Any concern, inquiry or request regarding Personal Information should be directed in writing to the Privacy Officer:

Privacy Officer

Fred Victor, 36 Lombard Street, Suite 300, Toronto, ON M5C 2X3.

Tel.: 416-364-8228 x 1338

Email: privacy@fredvictor.org

The Information and Privacy Commissioner of Ontario oversees our compliance with privacy rules and PHIPA. Any individual can make an inquiry or complaint directly to the Information and Privacy Commissioner of Ontario by writing to or calling:

2 Bloor Street East, Suite 1400

Toronto, Ontario M4W 1A8 Canada

Phone: 1 (800) 387-0073 (or 416-326-3333 in Toronto)

www.ipc.on.ca

Breach of Privacy Policy, Procedures, or Guidelines

Failure by FV employees to adhere to this Privacy Policy and its related procedures and guidelines may result in corrective action being taken. Such corrective action may include, but is not limited to: retraining, loss of access to systems, suspension, reporting conduct to the Information and Privacy Commissioner of Ontario or a professional regulatory body or sponsoring agency, school or institution, termination of contract, and immediate dismissal.

Changes to the Policy

FVC may from time to time make changes to this Privacy Policy to reflect changes in its legal or regulatory obligations or the manner in which FVC collects, uses or discloses personal information. FVC reserves the right to update and/or change the Privacy Policy at any time by publishing the changes here. You are responsible for regularly reviewing the Privacy Policy to obtain timely notice of such amendments.

Other Related Policies/Resources

- Sharing of Personal Health Information About Clients
- FV Privacy Notice_Update October 2022
- Privacy- Communicating Personal Health Information by Email