

The Agency has put in place safeguards for the Client Information it holds, which include:

- Administrative safeguards (such as permitting access to Client Information by Agency employees and Others only on a “need-to-know” basis);
- Technological safeguards (such as the use of passwords, encryption, audits, and secure virtual private network-VPN). The Agency has implemented a privacy audit program to monitor compliance with our privacy requirements; and
- Physical safeguards (such as locked filing cabinets and rooms, access keys, etc.);

The Agency takes steps to ensure that the Client Information it holds is protected against theft, loss, and unauthorized use or disclosure. The details of these safeguards are set out in the Agency's “Safeguards for Client Information Guidelines”.

The Agency requires anyone who collects, uses, or discloses Client Information on the Agency's behalf to maintain the confidentiality of Client Information. This is done through the signing of confidentiality agreements, privacy training, and contractual means.

Care is used to dispose or destroy Client Information, to prevent unauthorized parties from gaining access to the information. See the Agency's “Retention and Disposal Procedure”.

8. Openness. The Agency shall make information readily available to individuals about its policies and practices about Client Information.

The Agency shall make available the following information to Clients and other members of the public:

- Information about our policies and practices relating to the management of Client Information, including the *Privacy Notice* and *Client Rights and Responsibilities* document, consent discussions with Clients, brochures, and posters;
- Provision of contact information for the Privacy Officer, to whom complaints or inquiries can be made;
- The process for obtaining access to Client Information the Agency holds, and making requests

for its correction;

- A description of the type of Client Information we hold, including a general account of our uses and disclosures;
- A description of how a Client may make a privacy complaint to the Agency or to the Information and Privacy Commissioner of Ontario; and
- Upon request, sharing copies of the Agency's Privacy Policy.

9. Individual Access. Upon request, clients shall be given access to their Client Information (unless access falls within a permitted exclusion). A client may challenge the accuracy and completeness of their information and have it amended, if appropriate.

Clients may make written requests to have access to their Client Information, in accordance with the Agency's “Access and Correction Procedure – Release of Client Information”.

The Agency will respond to a Client's request for access within reasonable timelines. But may charge reasonable costs to third parties' file disclosure requests, as governed by law. Information will be provided subject to legislated exemptions from access (such as legal privilege). The Agency will take reasonable steps to ensure that the requested information is made available in a format that is understandable.

10. Challenging Compliance. An individual shall be able to challenge the Agency's compliance with Privacy Legislation or the Agency's Privacy Policy/Procedures to the person designated by the Agency for privacy compliance.

Any person may ask questions or challenge the Agency's compliance with this policy or with Privacy Legislation by contacting our Privacy Officer:

Manager, Compliance and Privacy
Jewish Family and Child Service
4600 Bathurst St.
Toronto, Ontario M2R 3V3
Tel: 416-638-7800 ext. 6636
Fax: 416.638-7422
Email: privacy@jfandcs.com

The Agency will receive and respond to complaints or inquiries about our policies and practices relating to the handling of Client Information in a timely and responsive manner. The Agency will inform clients who make inquiries or lodge complaints of other available complaint procedures (e.g. to the Information and Privacy Commissioner of Ontario).

The Agency will investigate all complaints. If a complaint is found to be justified, the Agency will take appropriate measures to respond. See the Agency's Privacy Complaint Process.

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

The Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8 Canada
Phone: 1 (800) 387-0073 or 416-326-3333 in Toronto
Fax: 416-325-9195;
www.ipc.on.ca

Cross References:

- Policy 106- Privacy Policy
- Privacy Manual

¹ The 10 Privacy Principles are modelled on *The Principles Set out in the National Standard of Canada Entitled Code set out in PIPEDA*; Retrieved from <https://laws-lois.justice.gc.ca/PDF/P-8.6.pdf>

Jewish Family and Child Service

Central Office and Intake

4600 Bathurst Street | 1st Floor
Toronto, Ontario M2R 3V3

T: 416-638-7800 F: 416-638-7943

Gordon S. Wolfe Branch

365 Bloor Street E, Suite #1904
Toronto, Ontario M4W 3L4

T: 416-961-9344 F: 416-961-9351

York Region Branch | 1 Open Door

9600 Bathurst Street | Suite 242
Vaughan, Ontario L6A 3Z8

T: 905-303-5838 F: 905-303-5892

Jerome D. Diamond Adolescent Centre

196 Keewatin Avenue
Toronto, Ontario M4P 1Z8

T: 416-482-3023 F: 416-482-3014

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JF&CS strives for inclusivity in all its programs, serving community members of any income, family structure, ability, sexual orientation, gender identity, religious affiliation, level of observance, race, ethnicity, cultural identity and place of origin.



Ontario



UJA FEDERATION
of Greater Toronto



ועידת התביעות
Claims Conference
The Conference on Jewish Material
Claims Against Germany
www.claimscon.org

JF&CS

JEWISH FAMILY AND CHILD
SERVICE OF GREATER TORONTO

PRIVACY PRINCIPLES

jfandcs.com/privacy

JF&CS Privacy Principles

Jewish Family and Child Service of Greater Toronto (JF&CS) Privacy Policy 106 demonstrates compliance with all relevant Privacy Legislation. Policy 106 deals with 10 privacy principles set out in Schedule 1 of the *Personal Information Protection and Electronic Documents Act (PIPEDA)* but embedded in the *Personal Health Information Protection Act, 2004 (PHIPA)*, and the *Child, Youth, and Family Services Act, 2017 (CYFSA)*.¹

JF&CS is committed to the 10 principles as described below and in the Agency's Privacy Policy. *You may ask for a copy of the Agency's Privacy Policy through your worker or the Privacy Officer.* This document describes the ways in which the Agency implements and instills the 10 principles in our organizational culture and operational functions to respect and protect the privacy of Clients and former Clients.

PRINCIPLES

a) Context

The Agency collects, uses and discloses Client Information in order to provide effective and coordinated services to Clients, to supervise and manage individual, family, and child welfare services, to obtain Client feedback for quality improvement purposes, for accreditation, to comply with legal requirements, and for other purposes permitted or required under law.

b) Commitment to the 10 Privacy Principles:

The Agency is committed to the 10 Privacy Principles underlying Privacy Legislation, which are set out below, along with the way that they are implemented in a hybrid environment.

1. Accountability. The Agency is responsible for Client Information under its custody and control, and shall designate (an) individual(s) who are accountable for the Agency's compliance with privacy principles.

The Agency has designated a Privacy Officer that reports to the Director of Research, Evaluation & Privacy. The Privacy Officer manages compliance with this Privacy Policy, Privacy Procedures, and Privacy Legislation, with the support of the Privacy Advisory Committee, Senior Management, and the Board of Directors.

A Privacy Advisory Committee (PAC) has been established to inform privacy governance. The purpose of the PAC is to serve as a decision-making authority that recommends and approves Procedures, Processes, and Policies under Part X of CYFSA and PHIPA across JF&CS. The PAC will review and approve all new and revised Policies and Procedures prior to final approval by Senior Management.

Our commitment to privacy is demonstrated by educating our employees and Others about their privacy responsibilities.

2. Identifying Purposes. The Agency shall identify the purposes for which Client Information is collected, at or before collection for in-person or virtual service.

The Agency collects Client Information primarily for the delivery of Client service and to fulfill its responsibilities as a Children's Aid Society. In addition, it uses Client Information for related purposes, including to:

- administer and manage Agency programs and services;
- process and make payments;
- seek Client consent where appropriate;
- respond to or initiate proceedings;
- prevent, investigate, and or respond to child abuse and neglect of children under 18 years; evaluate risk of harm or actual harm to children and youth; assist families in offering supports to help keep their children safe; conduct research (in accordance with legislated requirements);
- do statistical reporting;
- do fundraising (in accordance with legislated requirements);

- conduct risk management;
- conduct training and quality improvement activities;

- comply with legal and regulatory requirements;
- fulfill accreditation requirements;
- support (on a de-identified basis) funding submissions and donor reports; comply with legal obligations;
- and carry out other activities as permitted or required by law.

The Agency has a Privacy Notice of Information Purposes statement that identifies the purposes for which Client Information is collected, used and disclosed, which is posted on the JF&CS website and brochures. When Client Information is to be used for a purpose not previously identified, the new purpose will be identified prior to use. Unless the new purpose is permitted or required by law, consent will be required before the information can be used for the new purpose.

3. Consent. The knowledge and consent of the client are required for collection, use or disclosure of Client Information, except where disclosure is permitted or mandated by law.

Clients (or their substitute decision-makers) will be apprised of how the Agency collects, uses and discloses Client Information through the Agency's Privacy Notice and discussion of privacy practices by their workers, information brochures, posters and other information accessible to clients. The Agency is committed to ensuring that consent is informed.

The Agency generally requires express (direct or sometimes referred to as explicit) consent in order to collect, use, or disclose Client Information. However, there are some cases where we may collect, use or disclose Client Information without consent as permitted or required by law (e.g. risk of imminent harm to self or others, emergencies, child protection concerns). See the Agency's *"Consent Management Procedure"*.

Express consent will be sought if a client is enrolled in more than one Agency program, to share Client Information among all Agency providers involved in the client's care.

Express Client consent will be sought when a record is to be shared with external providers, unless the law requires or permits otherwise. See the *"Procedure on Disclosure to Third Parties"*.

A client may choose to not give consent or to withdraw consent. If consent is given, a client may withdraw consent at any time, but the withdrawal cannot be retroactive.

Privacy Legislation gives individuals the right to restrict access by a specific staff member of the Agency or other providers to their Client Information– (referred to as a **"lockbox"**). See the Agency's *"Lockbox Procedure"*.

4. Limiting Collection. The collection of Client Information shall be limited to that which is necessary for any identified purpose in providing in-person or virtual service. Client Information shall be collected by fair and lawful means.

We limit the amount and type of Client Information we collect to that which is necessary to fulfill the purposes identified. Information is collected directly from the Client, unless the law permits or requires collection from third parties. For example, from time to time, we may need to collect information from Clients' other care providers in order to provide coordinated and effective service.

Client information may only be collected if necessary for a valid work purpose authorized by the Agency (e.g. Agency feedback survey or through signed data sharing agreements). Agency employees and Others are not permitted to initiate their own (or self-directed) projects to collect new Client Information from any source or to use Client Information for a new purpose, without the purpose being authorized by the Agency or the Privacy Officer.

5. Limiting Use, Disclosure and Retention. Client Information shall not be used or disclosed except for purposes for which it was collected, unless consent is obtained or permitted or mandated by law. Client Information shall be retained only as long as necessary for these purposes.

Use and Disclosure

Client Information is not used or disclosed for purposes other than those for which it was collected, except with

the consent of the Client or as permitted or required by law.

Client Information may only be used or disclosed within the limits of each Agency employee's and Other's roles. Agency employees may not read, look at, receive or otherwise use Client Information unless they have a legitimate "need to know" as part of their position. Snooping is not permitted and will lead to consequences up to and including termination. The Agency has an established protocol for mitigating any potential or actual breach of Client Information. See the *Agency's Privacy Breach Protocol*.

Retention

Client records are retained as required by law and professional regulations and to fulfill Agency purposes for collecting Client Information.

Client records will be disposed of when no longer necessary for the purposes for which collected, in accordance with legal, regulatory, litigation, professional and Agency requirements. Please see the Agency's *"Retention and Disposal Procedure"* and the *"Safeguards for Client Information Guidelines"*.

6. Accuracy. Client Information shall be as accurate, complete and up-to-date as required for the purposes.

The Agency will take reasonable steps to ensure that information it holds is as accurate, complete, and up to date as necessary to minimize the possibility that inappropriate information may be used to make a decision about a Client.

The Agency has a procedure whereby Clients may review their Client Information and request that any inaccuracies be corrected. See the Agency's *"Access and Correction Procedure - Release of Client Information"*.

Clients who successfully demonstrate the inaccuracy or incompleteness of their Client Information may request that the Agency amend their information. In some cases, instead of making a correction, clients may ask to append a statement of disagreement to their file.

7. Safeguards. Client Information shall be protected by security and privacy safeguards appropriate to the sensitivity of the information for in-person and virtual service.