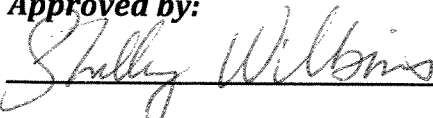


**Complete Policy Title:**

***Personal Information Privacy Policy***

**Policy Number (if applicable): 1001.0**

**Approved by:**

  
\_\_\_\_\_

**Date of Most Recent Approval:**

- November 23, 2010

**Responsible Executive (or Office):**

***Shelley Wilkins, Director, Social Housing***

**Enquiries:**

***swilkins@chatham-kent.ca***

**DISCLAIMER:** *If there is a Discrepancy between this electronic policy and the written copy held by the policy owner, the written copy prevails.*

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## 1 SUBJECT

Personal Information Privacy Policy

## 2 PURPOSE

The purpose of this policy is to establish the Chatham-Kent Social Housing Division's compliance with the applicable laws protecting the confidentiality of personal information. Chatham-Kent Social Housing Division is committed to protecting the privacy of its clients.

## 3 REVISION HISTORY

DATE	Number	Type
23-Nov-2010	1001.0	New Document

## 4 REFERENCES

The following policies, internal procedures and forms affect the privacy of personal information for our clients:

- a) CKSH Internal Procedures and Forms
  - i. CKSH Internal Procedure re Personal Information Privacy
  - ii. CKSH - Confidentiality Agreement
  - iii. CKSH Release of Information – Consent or Withdrawal of Consent Form
  - iv. CKSH List of Purposes for which CKSH collect, use and disclose Personal Information
  - v. CKSH - Release of Information to Police Form
  - vi. CKSH - Applicable Fees for Access to a Record
- b) Chatham-Kent Corporate Policies and Forms
  - i. Employee Code of Conduct Policy
  - ii. IT Acceptable Use Policy
  - iii. Web Portal Governance Policy
  - iv. Request Form regarding Freedom of Information and Protection of Privacy
  - v. Record Retention By-Law

## 5 SCOPE

All employees of Chatham-Kent's Social Housing Division shall comply with this and all applicable policies, laws and regulations regarding the privacy of personal information.

## 6 POLICY

All Chatham-Kent Social Housing Division employees shall protect the privacy of our clients.

## 7 DEFINITIONS

### 7.1 Legal Framework

In protecting the privacy of Personal Information, the following different pieces of legislation regulate the collection, use and disclosure of Personal Information for the Chatham-Kent Social Housing Division:

- ☑ *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* controls the collection and use of Personal Information held by Ontario Municipalities, including the Municipality of Chatham-Kent and certain designated organizations.
- ☑ *Social Housing Reform Act 2000 (SHRA)* governs the collection, use and disclosure of Personal Information in the provision of Social Housing in Ontario.

## 7.2 Personal Information

This policy and any specific terms used herein shall be interpreted to ensure consistency with all applicable privacy legislation. This policy can not fully describe how the legislation is to be applied in every instance. As a result, there may be circumstances where the legislation itself should be referred to directly.

- The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) defines “Personal Information” as recorded information about an identifiable individual, including,
  - (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
  - (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
  - (c) any identifying number, symbol or other particular assigned to the individual;
  - (d) the address, telephone number, fingerprints or blood type of the individual;
  - (e) the personal opinions or views of the individual except if they relate to another individual;
  - (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
  - (g) the views or opinions of another individual about the individual; and
  - (h) the individual’s name if it appears with other Personal Information relating to the individual or where the disclosure of the name would reveal other Personal Information about the individual.

## 7.3 Employee

An “employee” is defined in this policy as someone who is working for or affiliated with the Municipality of Chatham-Kent Social Housing Division. All employees shall comply with this policy and all applicable privacy legislation as it relates to their particular employment responsibilities.

## 7.4 Use

The sharing, utilization or analysis of protected personal information by Chatham-Kent Social Housing Division’s employees.

## **7.5 Disclosure**

The release, transfer, or divulging of protected personal information outside of Chatham-Kent Social Housing Division.

## **8 RESPONSIBILITIES**

The Municipality of Chatham-Kent Social Housing Division (CKSH) is committed to respecting privacy through the protection of Personal Information. CKSH will only collect, use or disclose Personal Information in accordance with the principles of MFIPPA and the SHRA. To do this, CKSH will reasonably apply the following principles set out in the Canadian Standards Association Model Code for the Protection of Personal Information:

### **8.1 Accountability**

Each CKSH employee is responsible for maintaining and protecting all Personal Information under his/her control. CKSH is responsible for the Personal Information in its possession and has designated an individual accountable for CKSH's compliance with the legislation's privacy requirements.

### **8.2 Identifying Purposes**

CKSH will identify the purposes for which Personal Information is collected, and will make those purposes known to persons whose Personal Information is collected. It is reasonable to believe that an individual knows the purposes of the collection, use or disclosure of Personal Information where the Municipality of Chatham-Kent provides the individual with such notice, or it posts or makes readily available a notice that is likely to come to the individual's attention.

### **8.3 Consent**

CKSH will only collect Personal Information with the individual's knowledge and consent, except where otherwise required or permitted by law. An example of an exception would be for a research purpose conducted according to MFIPPA's requirements.

### **8.4 Limiting Collection**

CKSH will limit the collection of Personal Information to those details that are necessary for the purposes identified. Information will be obtained through fair and lawful means. CKSH will only collect information in a manner that does not mislead or deceive the public about the purpose of the collection.

### **8.5 Limiting Use, Disclosure and Retention**

CKSH will only retain Personal Information for as long as necessary to fulfill the purposes for which the information was collected, except with the consent of the individual to whom the information relates or as permitted or required by law.

### **8.6 Accuracy**

To the extent reasonably possible, CKSH will keep Personal Information as accurate, complete and up-to-date as necessary for the purposes for which it is to be used.

### **8.7 Safeguards**

The Municipality of Chatham-Kent and CKSH have implemented safeguards that are reasonably appropriate to the sensitivity and amount of Personal Information that is held by the organization. These safeguards will reasonably protect the information against loss or theft as well as unauthorized access, disclosure, copying, use or modification.

### **8.8 Openness**

CKSH will make information about its policies and practices relating to the management of Personal Information readily available. Members of the public shall be advised that any questions related to this policy may be addressed to the individual listed in the Contact Information section.

### **8.9 Individual Access**

Upon request, CKSH will inform an individual of the existence, use and disclosure of his/her Personal Information and that individual will be given access to his/her Personal Information. An individual may be required to provide sufficient information to permit CKSH to provide an account of the existence, use and disclosure of his/her Personal Information.

Access may be obtained on an informal basis, directly from CKSH. Where the request is reasonably straight forward, access may be granted, as soon as is reasonably possible.

The Municipality of Chatham-Kent has a right to refuse to respond to any access request that the Municipality has reason to believe is “frivolous or vexatious”, that is, one that abuses the right of access or would interfere significantly with the normal operations of the Municipality.

A formal request for access may be made (or may be required to be made) to the Director, Social Housing. Formal requests shall be made in writing, accompanied by a minimum fee of \$5.00, or such other fee as is prescribed and permitted under MFIPPA, unless the requirement for a fee is waived by the Director, Social Housing.

- CKSH shall respond to a written request for access within 30 days after the request is received, by giving written notice to the person who made the request as to whether or not access to the record or part of it will be given.

### **8.10 Challenging Compliance**

An individual will be able to challenge the accuracy and completeness of his/her information held by CKSH and have it amended as appropriate. A complaint must be in writing and forwarded to the individual listed in the Contact Information section. If a complaint is found to be justified, CKSH will take appropriate measures, including amending this policy and any related practices.

## **9 CONTACT INFORMATION**

Members of the public are advised that any questions related to this policy may be addressed to:

### **Director, Social Housing**

Health & Family Services  
Chatham-Kent Centre for Community Services  
435 Grand Avenue West, P.O. Box 1296  
Chatham, ON N7M 5R9  
[www.chatham-kent.ca](http://www.chatham-kent.ca)

Bus: (519) 351-8573

Email: [cksocialhousing@chatham-kent.ca](mailto:cksocialhousing@chatham-kent.ca)