

# JVS TORONTO ENTERPRISE PRIVACY POLICY

<b>Approved By</b>	Executive Management Team
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<b>Responsible Role</b>	Chief Privacy Officer
<b>Responsible Department</b>	Chief Privacy Officer

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# JVS TORONTO ENTERPRISE PRIVACY POLICY

## SECTION 1 – INTRODUCTION

### 1.1 Purpose

To provide an agency-wide privacy policy that outlines the commitment of those working on behalf of JVS Toronto to comply with privacy legislation to ensure the protection of personal and confidential information for its employees, clients, and any individual who provides personal and confidential information, unless the personal information is collected, used or disclosed through the JVS Toronto website.

Personal information collected through the agency's website is covered by the JVS Toronto Web Site Privacy Statement at <https://www.jvstoronto.org/privacy-policy/>.

### 1.2 Scope

The policy applies to all JVS Toronto employees, students, volunteers, consultants, contractors, community partners, Board and Board Committee members and anyone working at or acting on behalf of JVS Toronto, and who are privy to personal information.

### 1.3 Definitions

Word/Term	Definition
<b>Chief Privacy Officer</b>	A member of the JVS Toronto management team who is appointed with the responsibility for managing the privacy policies, inquiries, compliance, complaints, breaches, investigations, resolutions, practice modifications and implementation on behalf of the organization.
<b>Client Records or Files</b>	All data, information, documentation and reports prepared by JVS Toronto relating to the service of individual clients, whether stored in hard copy or electronically. Client Records contain personal information.
<b>Consent</b>	Obtaining an individual's permission for something to happen or agreement to do something.
<b>Confidentiality</b>	The obligation of all JVS Toronto employees, or those acting on behalf of JVS Toronto, to keep personal information secret. Confidentiality arises in the course of a relationship in which private information is shared. As the sharing of personal information is essential for accurate assessment, diagnosis, provision of services and/or treatment of JVS Toronto clients, this ethical duty of confidentiality is imposed upon JVS Toronto to ensure that client information obtained in the course of providing services is kept secure and confidential.
<b>Confidential Information</b>	Refers to any personal or sensitive information that should remain confidential.
<b>Disclosure</b>	When personal or confidential information is shared.
<b>Information Security</b>	The protection of information against threats to its integrity or against inadvertent disclosure.
<b>Information System Security</b>	Protecting both the information contained in a client information System, as well as the system itself from threats and disruption.
<b>Informed Consent</b>	An individual provides consent after they are informed about the expected benefits, potential risks, alternative courses of action, and the likely consequences of receiving or not receiving services, and having the opportunity to ask questions.
<b>Individuals working for or acting on behalf of JVS Toronto</b>	This includes every individual working or volunteering at JVS Toronto including, but not limited to, employees, managers, directors, senior management, casual and contract workers, volunteers, students, consultants, Board members, and third party service providers.

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<b>Personal Information</b>	<p>Under Personal Information Protection and Electronic Documents Act (PIPEDA), personal information includes any factual or subjective information, recorded or not, about an identifiable individual. This includes information in any form, such as:</p> <ul style="list-style-type: none"> <li>• age, name, ID numbers, income, ethnic origin, or blood type;</li> <li>• opinions, evaluations, comments, social status, or disciplinary actions; and</li> <li>• Employee files, credit records, loan records, medical records, existence of a dispute between a consumer and a merchant, intentions (for example, to acquire goods or services, or change jobs).</li> </ul>
<b>Personnel</b>	<p>This refers to anyone working on behalf of JVS Toronto including full-time, part-time, casual and other employees, volunteers including Board and Board Committee members, placement students, contractors or consultants.</p>
<b>Personnel Records or Files</b>	<p>All data, information, documentation and reports prepared by JVS Toronto relating to JVS Toronto personnel, whether stored in hard copy or electronically. Personnel records contain personal information.</p>
<b>Privacy</b>	<p>The right of the individual to control the collection, use and disclosure of information about the individual, limiting it to “that which is necessary”. Privacy includes having the right to determine what information is collected, how it is used, and the ability to access collected information to review its security and accuracy. Privacy means having the right to choose the conditions and extent to which one’s information is shared.</p>
<b>Privacy Breach</b>	<p>An inappropriate access, use or disclosure of personal information; including, without limitation:</p> <ol style="list-style-type: none"> <li>(1) unauthorized collection: collected coercively or without consent or for purposes not approved by JVS Toronto or the individual;</li> <li>(2) unauthorized use: used for purposes not supported by JVS Toronto</li> <li>(3) unauthorized disclosure: disclosure without consent or legal authority, security breaches or loss of equipment containing personal information such as laptops or loss of paper records or unauthorized or unsecured disposal of personal information (e.g. in a dumpster); and</li> <li>(4) Denial of client rights: such as collection, use or disclosure without consent, denial of access to personal information.</li> </ol> <p>Other breach examples include inappropriate access into client information (snooping), independently accessing one’s own personal information or that of a colleague, members of management or other JVS Toronto employees, family members, friends, acquaintances and people featured in the media.</p>
<b>Security</b>	<p>Preventing unauthorized access to personal information through physical, organizational or technological means. In other words, security is the measures taken to ensure the confidentiality, integrity and availability of personal and confidential information.</p>
<b>Website Privacy Statement</b>	<p>This statement informs website visitors what information is collected by the website and how this information is used.</p>

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## 1.4. Related Policies

### 1.4.1 Privacy Policies

#### 1.4.2 Additional Policies

Code of Conduct Policy

Protection of Human Rights and Prevention of Violence and Harassment in the Workplace Policy

Internet & Email Policy

Mobile Device Policy

Password Policy

Whistleblower Policy

## 1.5 Legislative and Other Context

Child and Family Services Act

Health Care Consent Act

Personal Health Information Protection Act (PHIPA)

Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act

The Mental Health Act

The College of Psychologists of Ontario

The Ontario College of Social Workers and Social Service Workers

## SECTION 2 - POLICY

### 2.1 Policy

JVS Toronto complies with its privacy policies, privacy legislation, and professional codes of conduct or ethical guidelines that govern the collection, use, disclosure, storage and destruction of personal and/or confidential information of its clients and employees.

#### JVS Toronto's Privacy Policies:

1. JVS Toronto Enterprise Privacy Policy
2. Business and Remote Office Privacy and Security Policy
3. Records Retention and Destruction Policy
4. Personnel Records Collection and Disclosure Policy
5. Client Records Collection and Disclosure Policy
6. Privacy Breach Policy
7. Privacy Complaint Resolution Policy

**NOTE: The following section, "RESPONSIBILITY & PROCEDURE" represents best practices as determined by JVS Toronto, and is largely designed to provide guidance to designated JVS Toronto representatives. However, it is understood that, where appropriate, these representatives may adopt modified procedures in response to any given circumstance.**

## SECTION 3 – RESPONSIBILITY & PROCEDURE

### 3.1 Ten Principles of Personal information Protection

The Ten Principles of Personal Information Protection establish the basic principles for the protection of personal information used in most privacy legislation in Canada. By building in these ten principles, JVS Toronto's privacy compliance programs align with privacy protection legislation best practices in Ontario where JVS Toronto operates.

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These principles apply to all JVS Toronto sites and programs, and all its employees are responsible to adhere to these principles. Any additional requirements will be set out in the related policies for the specific privacy topic.

JVS Toronto's commitment is stated under each of the Principles of Personal Information Protection.

## 3.1.1 Accountability

### Principle

The organization is responsible for personal and confidential information under its control and will designate an individual or individuals who are accountable for compliance with the following principles.

### Commitment

JVS Toronto has appointed a Chief Privacy Officer. The role and responsibilities for the Chief Privacy Officer, management, employees and volunteers are detailed in this section of this policy.

JVS Toronto will ensure that third-party agreements, contracts or Memorandums of Understanding will contain privacy protection and protocols consistent with JVS Toronto's privacy policies regarding any JVS Toronto information that the third party maintains or is privy to.

## 3.1.2 Identifying Purposes

### Principle

The purposes for which personal information is collected will be identified by the employee who is collecting the information at or before the time the information is collected will be outlined in writing.

### Commitment

JVS Toronto has as outlined the purposes for which personal information will be collected in the **Client Records Collection & Disclosure Policy** and the **JVS Toronto Personnel Records Collection & Disclosure Policy**.

When a new purpose or use for personal information is identified after the initial collection of the personal information, JVS Toronto will obtain consent from the individual unless the new purpose is required by law. Where possible, personal information is coded, or pseudonymous data is used to help ensure privacy of data.

## 3.1.3 Informed Consent

### Principle

The knowledge and consent of the individual is required for the collection, use, or disclosure of personal information, except where inappropriate.

### Commitment

JVS Toronto will obtain individual consent for the collection, use, or disclosure of personal information as outlined in the **Client Records Collection & Disclosure Policy** and the **JVS Toronto Personnel Records Collection & Disclosure Policy**.

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Consent is obtained at or before the time of collection of personal information. JVS Toronto employees will be sensitive regarding any issues impacting consent such as a client's language barrier, developmental challenges or age. Consent from Parents or Guardians is obtained when clients are limited due to age and/or developmental disability.

Individuals are informed that they may withdraw their consent at any time; however this will impact JVS Toronto's ability to provide services to the client, who will be advised of this impact.

A separate consent, that is included in JVS Toronto intake forms, asks individuals if they consent to being contacted for marketing or solicitation purposes. Individuals are informed that they can withdraw their consent for secondary purposes at any time.

## 3.1.4 Limiting Collection

### Principle

The collection of personal information will be limited to that which is necessary for the purposes identified by the organization and is collected by fair and lawful means.

### Commitment

JVS Toronto describes the type of personal information that it is required to collect, how it will be used or disclosed, and practices are detailed in the **Client Records Collection & Disclosure Policy** and the **Personnel Records Collection & Disclosure Policy**.

## 3.1.5 Limiting Use, Disclosure and Collection

### Principle

Personal information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information will be retained only as long as necessary for the fulfillment of those purposes.

### Commitment

JVS Toronto has outlined its practices regarding this principle in the **Client Records Collection & Disclosure Policy**, the **Personnel Records Collection & Disclosure Policy** and the **Records Retention & Destruction Policy**.

## 3.1.6. Accuracy

### Principle

Personal information will be as accurate, complete and up-to-date as is necessary for the purpose for which it is used.

### Commitment

Employees will ensure that client personal information is accurate and information that could change, such as address or telephone number, is kept current while the client is active.

## 3.1.7. Safeguards

### Principle

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Personal and confidential information will be protected by security safeguards appropriate to the sensitivity of the information.

## **Commitment**

JVS Toronto has implemented safeguards to ensure the privacy and protection of personal and confidential information and these safeguards are included in all its privacy policies, particularly in the **Business & Remote Office Privacy and Security Policy** and **Records Collection and Destruction Policy**.

### **3.1.8. Openness**

#### **Principle**

Detailed information about an organization's policies and practices relating to the management of personal information will be publicly and readily available.

#### **Commitment**

JVS Toronto posts its privacy policies publicly on its website, [www.jvstoronto.org/privacy](http://www.jvstoronto.org/privacy) on its intranet, the JVS Insider, and provides written copies to individuals upon request.

### **3.1.9. Individual Access**

#### **Principle**

Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information, and will be given access to that information. An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

#### **Commitment**

JVS Toronto outlines the process used to disclose individual information, and how an individual can access their records. This includes authenticating an individual's identity when a request for access to personal information is received.

### **3.1.10. Challenging Compliance**

#### **Principle**

An individual will be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for compliance. Failure to comply with privacy legislation could result in public complaints, prosecution, litigation, high insurance costs and non-monetary and monetary damage to an organization's morale and reputation.

#### **Commitment**

JVS Toronto has a **Privacy Complaint Resolution Policy** to ensure that any concerns or complaints are addressed in a timely, effective, and sensitive manner.

## **3.2 JVS Toronto & a Privacy Culture**

All employees are to practice a privacy culture which is based on the full, complete and ongoing adherence to privacy principles, and the awareness and sensitivity to the personal and confidential nature of information that is collected, how the information is stored and maintained, and destroyed. To affirm their commitment to the privacy culture, each employee is required to complete a **JVS Toronto Personnel Privacy & Confidentiality Agreement**.

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## 3.3 JVS Toronto's Responsibility

Ensure that policies, procedures, and guidelines are developed and are updated according to relevant legislation, regulatory standards, and best practices. JVS Toronto's Executive Management approves JVS Toronto's privacy policies and procedures, disseminate those policies and procedures to ensure their proper and full adherence by employees.

### 3.3.1 Chief Privacy Officer's Responsibilities

- Comply with the privacy policies and all associated privacy procedures.
- Participate in the annual privacy policy review and signing of the Privacy & Confidentiality Agreement.
- Promote compliance throughout JVS Toronto with all associated privacy policies and procedures, and conduct privacy training as needed within the agency.
- Act as the internal resource to JVS Toronto on privacy matters; and as a consultant and provide advice within the agency regarding access requests, privacy-related inquiries, complaints and breaches, conduct investigations, recommend improvements, and communicate all outcomes.
- Ensure that the privacy policies are accessible to the public on the JVS Toronto website and contact information of the Chief Privacy Officer.
- Act as external contact for privacy questions or complaints from the public including those JVS Toronto may receive as a government-funded service provider.
- Develop and improve privacy procedures documented within the privacy policies as a result of complaints and/or breaches.
- Ensure the annual privacy policy review and signing of confidentiality agreements occurs in line with the performance review process lead by Human Resources.

### 3.3.2 Directors' Responsibilities

- Comply with the privacy policies and all associated privacy procedures.
- Participate in the annual privacy policy review and signing of the Privacy & Confidentiality Agreement.
- Provide oversight to and promote privacy practices within division and support Managers and their teams regarding privacy compliance and improvements.
- Engage Chief Privacy Officer for privacy training and/or audits to support compliance, and any privacy matters that arise.
- Support the Chief Privacy Officer on division privacy complaints and/or breaches, investigations, resolutions, improvements, related training; conduct team communication as required based on outcomes.

### 3.3.3 Managers' Responsibilities

- Comply with the privacy policies and all associated privacy procedures.
- Participate in the annual privacy policy review and signing of the Privacy & Confidentiality Agreement.
- Work with division Director, and/or Chief Privacy Officer, to integrate privacy practices, compliance and improvements in their respective locations.
- Implement privacy training and awareness programs as disseminated by the Chief Privacy Officer.
- Support direct reports in complying with all associated privacy procedures.
- Respond to, and involve the Chief Privacy Officer when needed, access requests and privacy-related inquiries.
- Assist the Chief Privacy Officer and Director, as requested, to investigate and address privacy-related complaints, breaches and incidents and identify improvement opportunities.
- Promote JVS Toronto's privacy practices to clients and service users.

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### 3.3.4 Frontline Staff Responsibilities

- Comply with the privacy policies and all associated privacy procedures.
- Participate in the annual privacy policy review and signing of the Privacy & Confidentiality Agreement.
- Work with division Director, Manager, and/or Chief Privacy Officer, to integrate privacy practices, compliance and improvements in their respective locations.
- Ensure that clients and service users are aware of JVS Toronto’s privacy practices to ensure they know how their personal and confidential information is protected.

### 3.3.5 Volunteer’s Responsibilities

Volunteers include members of the Board of Directors, Board committee members and Placement Students.

- Comply with the privacy policies and all associated privacy procedures.
- Participate in the annual privacy policy review and signing of the Privacy & Confidentiality Agreement, if required by volunteer role.
- When working with clients, ensure they are aware of JVS Toronto’s privacy practices to ensure they know how their personal and confidential information is protected.

Failure to comply with the practices, processes and conduct outlined above may result in disciplinary action up to and including termination of employment and/or the individual's relationship with JVS Toronto.

### 3.4 Supporting Documentation

Name	Location	Document Type
<b>JVS Toronto Personnel Privacy &amp; Confidentiality Agreement</b>	JVS Insider	PDF
<b>All privacy policies</b>	JVS Insider	PDF
<b>Website Privacy Statement</b>	JVS Insider	PDF

## SECTION 4 – GOVERNANCE

### 4.1 Policy Owner

<b>Policy Owner</b>	Chief Privacy Officer
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### 4.2 Version Control and Change History

Version Number	Approval Date	Approved by	Amendment
Version 8	N/a	n/a	This policy was reviewed and edited for wording additions on August 10, 2018.
Version 7	n/a	n/a	This policy was edited on November 14, 2017 to change the position responsible for the Chief Privacy Officer.



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Version 6	n/a	n/a	This policy was reviewed on December 22, 2016 and minor wording changes were made to reflect staffing changes and currently used internal terms.
Version 5	n/a	n/a	This policy was reviewed and edited on March 20, 2014 during the Imagine Canada accreditation process.
Version 4	n/a	n/a	This policy was reviewed and edited for wording consistency on June 26, 2013.
Version 3	September 20, 2011	EMT	This policy has been developed as part of a full agency policy review.
Version 2	April 2011		
Version 1	December 2007		