

## **Toronto Seniors Housing Corporation (TSHC) Privacy Policy**

**Policy Sponsor:** Director, Strategy and Business Management

**Approver:** Board of Directors

**Initial Approval Date:** May 18, 2022

**Effective Date:** June 1, 2022

### **Policy Statement**

Toronto Seniors Housing Corporation is committed to protecting Personal Information consistent with the principles outlined in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Housing Services Act* (HSA).

Toronto Seniors Housing Corporation is required to protect Personal Information from theft or loss and protect Personal Information in its possession from unauthorized collection, access, use or disclosure. Toronto Seniors Housing Corporation will obtain consent before or when it collects, uses or discloses Personal Information, except where collection, use, or disclosure without consent is authorized or required by law.

In some cases, Toronto Seniors Housing Corporation may be required to follow the *Personal Information Protection and Electronic Documents Act* (PIPEDA), and it will adhere to PIPEDA's "fair information principles" when managing Personal Information. The fair information principles includes the following:

- **Accountability:** Toronto Seniors Housing Corporation is accountable for the protection of Personal Information within its custody or under its control.
- **Identifying Purposes:** When required, Toronto Seniors Housing Corporation will identify purposes for which it collects Personal Information at or before the time the information is collected.
- **Consent:** When required and appropriate, Toronto Seniors Housing Corporation will obtain consent before, or when, it collects, uses or discloses Personal Information, except where collection, use or disclosure is authorized or required by law.
- **Accuracy:** Toronto Seniors Housing Corporation shall ensure that the Personal Information is accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.
- **Safeguards:** Toronto Seniors Housing Corporation shall protect Personal Information with security safeguards appropriate to the sensitivity of the information.

- **Openness:** Toronto Seniors Housing Corporation shall make readily available to individuals specific information about its policies and practices relating to the management of Personal Information.
- **Individual Access:** Upon request, an individual shall be informed of the existence, use and disclosure of their Personal Information and shall be given access to that information where appropriate. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.
- **Challenging Compliance:** Individuals covered by this Policy may challenge Toronto Seniors Housing Corporation's compliance with the above principles in respect to their Personal Information.

## Policy Objective

The purpose of this Policy is to outline Toronto Seniors Housing Corporation's obligations with respect to the protection of Personal Information collected, used, disclosed, and disposed of, by Toronto Seniors Housing Corporation.

## Scope

All employees and Board Directors of Toronto Seniors Housing Corporation are responsible for the protection and management of Personal Information. Toronto Seniors Housing Corporation shall take all reasonable steps to ensure that vendors also respect this Privacy Policy.

## Values

Toronto Seniors Housing Corporation supports a climate and culture that protects and respects the privacy of an individual's Personal Information.

## Definitions

**Collection:** The collection of Personal Information from or about the individual to whom the information relates including unintended or unprompted receipt.

**Delegated Head:** Toronto Seniors Housing Corporation's Delegated Head under MFIPPA is the Chief Executive Officer.

**Disclosure:** The release of Personal Information by any method to anyone with or without authorization.

**Disposal:** The action taken with regards to Personal Information, including destruction, transfer to another entity or permanent preservation.

**Personal Information:** Has the same meaning as defined in MFIPPA and includes recorded information about an identifiable individual which is collected, used, or disclosed by Toronto Seniors Housing Corporation. For the application of this

Policy, Personal Information may include but is not limited to:

- the personal address, telephone number or personal email address of an individual
- any identifying number assigned to an individual (for example Social Insurance Number)
- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual
- financial information about an individual for the purposes of establishing Rent-Geared-to-Income assistance
- information about rent payment history
- credit and rental history reports, and
- employee history information

With regards to applicants and tenants, personal information may include income, credit history, subsidy, arrears, personal circumstances, health, conflicts between tenants, requests for transfers for personal reasons and any requests from tenants that are personal in nature.

**Privacy Breach:** The theft or loss or the unauthorized collection, use or disclosure of Personal Information.

**Purpose:** The purpose for which the information was obtained or compiled, used or disclosed.

**Record:** Any record of information however recorded, whether in handwritten notes, printed form, on film, by electronic means or otherwise. Records include:

- Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record, any other documentary material regardless of physical form or characteristics and any copy thereof, and
- Subject to the regulations made under MFIPPA, any record that is capable of being produced from a machine-readable record under the control of Toronto Seniors Housing Corporation by means of computer hardware and software or any other information storage equipment and technical expertise normally used by Toronto Seniors Housing Corporation.

## Policy Details

### Access

Subject to the provisions of MIFPPA, individuals have a right of access to records or parts of a record in the custody or under the control of Toronto Seniors Housing Corporation provided the record or part of the record does not fall within one of the exemptions or exclusions under MFIPPA. All access requests shall be

submitted to the Toronto Seniors Housing Corporation by using the [MFIPPA Request Form](#) and following the instructions contained therein.

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

The collection, use and disclosure of Personal Information will be limited to that which is reasonable and necessary to the proper administration of a lawfully authorized activity. Personal Information will be retained only as long as minimally required by legislation and/or as necessary for the fulfillment of those purposes.

## **Collection, Use and Disclosure**

Toronto Seniors Housing Corporation collects, uses and discloses Personal Information of its tenants, employees, directors and vendors to the extent necessary for the proper administration of a lawfully authorized activity.

Toronto Seniors Housing Corporation will ensure that Personal Information is collected, used and disclosed in accordance with legislation and in compliance with this Policy and other Toronto Seniors Housing Corporation policies.

Personal Information collected for the purposes of administering a lawfully authorized activity, includes, but is not limited to, the following:

- to determine income and assets for rent calculation
- to protect the health and safety of an individual
- to approve tenancy and determine appropriate unit type and size, and
- to assist staff in determining what services and supports tenants may require

## **Consent**

Toronto Seniors Housing Corporation may collect, use and disclose Personal Information where the individual to whom the information relates has consented to the collection, use, and disclosure proposed by Toronto Seniors Housing Corporation.

Personal Information may be collected, used and disclosed without consent only if permitted by legislation. Permitted situations may include, but are not limited to, the following:

- The information is being collected, used or disclosed for a consistent purpose, meaning a purpose the person could have reasonably expected for such use or disclosure
- Disclosure to an institution or the Toronto Police Service or other law enforcement agencies in Canada to assist in a criminal investigation
- Disclosure to an officer, director, employee, consultant or agent of Toronto Seniors Housing Corporation who needs the Personal Information in the

performance of their duties and if disclosure is necessary and proper in the discharge of Toronto Seniors Housing Corporation's functions (for example Internal Audit to assist in an investigation into any breach of Toronto Seniors Housing Corporation's policies)

- Compelling circumstances affecting the health and safety of an individual (provided Toronto Seniors Housing Corporation notifies the person whose information it is), and
- Compassionate circumstances

It is not necessary to have a signed consent to release information to collect a debt, for example to a collection agency, or for the Landlord and Tenant Board or Small Claims action.

## **Retention**

Records containing Personal Information will be kept and disposed of according to the retention periods and disposition methods authorized in Toronto Seniors Housing Corporation's Records Retention Schedule.

## **Privacy Breach**

Should a Privacy Breach occur, Toronto Seniors Housing Corporation will act quickly and transparently to respond and will take appropriate measures to rectify the breach and avoid future incidents. Measures may include:

- stopping and containing the Privacy Breach
- notifying affected individuals of the Privacy Breach
- notifying the Information and Privacy Commissioner of Ontario, and
- conducting an internal investigation

## **Responsibilities**

Toronto Seniors Housing Corporation will:

- Promote a culture, and business practices, that make sure that information is shared and is accessible to the greatest extent possible with authorized individuals and those necessary to carry out the purposes for which it was collected, while respecting security and privacy requirements of Personal Information and other confidentiality obligations
- Provide education to employees who are responsible for the protection of Personal Information under this Policy
- Follow specific procedures established for disclosing Personal Information to a law enforcement agency in Canada
- Investigate complaints and respond to individuals who file complaints

regarding the collection, use and disclosure of Personal Information in accordance with legislated requirements

## **Obligations of Employees**

Compliance with this Policy is the obligation of every employee at Toronto Seniors Housing Corporation. In performing their duties and responsibilities for the organization, employees will come into contact with, or otherwise learn about, Personal Information.

Employees are expected to take all reasonable steps to protect Personal Information from unauthorized collection, use or disclosure. This includes safeguarding documents, tenant files, laptops, cell phones and company files that contain Personal Information that has been entrusted to the employee's care, as well as steps to protect Personal Information when using computer systems and sending e-mail.

Employees are prohibited from trying to use or access Personal Information if it is not associated with their work. Employees also are prohibited from disclosing Personal Information if it is not associated with their work. For more information, please see Toronto Seniors Housing Corporation's Employee Code of Conduct and Employee Conflict of Interest Policy.

## **Compliance and Monitoring**

- The Chief Executive Officer is the Delegated Head of Toronto Seniors Housing Corporation and is accountable for Toronto Seniors Housing Corporation's compliance with this Policy.
- Employees who do not follow this Policy or the related sections of TSHC's Employee Code of Conduct may be subject to discipline, up to and including dismissal for cause.
- Employees must also comply with any section of the TSHC's Employee Code of Conduct, which requires the protection of personal or confidential information.
- Toronto Seniors Housing Corporation will take reasonable steps to restrict access to Personal Information to those individuals who require access to Personal Information in order to perform their duties and where access is necessary for the administration of their business.
- Toronto Seniors Housing Corporation will take appropriate steps to ensure vendors and contractors comply with this Policy.

## **Related Legislation, Regulations, and TSHC Policies:**

- *Municipal Freedom of Information and Protection of Privacy Act*

- *Personal Information Protection and Electronic Documents Act*
- *Housing Services Act*
- Acceptable Use of Information Technology Policy (TCHC)
- TSHC Employee Code of Conduct Policy
- TSHC Employee Conflict of Interest Policy
- TSHC Records Management Policy
- Security Video Surveillance Policy (TCHC)

**Amendments (Revision History):**

Initial policy approved by Board of Directors on May 18, 2022, effective June 1, 2022.

**Next Scheduled Review Date: 2027**

This Policy will be reviewed once every five years or as otherwise required.

**Policy Contact**

Director, Strategy and Business Management

**Appendices**

- [MFIPPA Request Form](#)
- Records Retention Schedule (under review)