

CHRISTIAN SENIOR CITIZENS HOME ASSOCIATION OF CHATHAM, ON. INC.

Operating: South Chatham Village: 97 - 40 Elm Street, Chatham, Ont. N7M 6A5

Confidentiality Policy

Approved by the Board of Directors: Oct.. 30, 2002

Definition of Personal Information

For the application of this policy, personal information means:

1. Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital or family status of the individual.
2. Information relating to the education, medical, psychiatric, psychological, criminal or employment history of the individual.
3. Financial transactions in which the individual has been involved (e.g. credit reports)
4. Any identifying number assigned to an individual, which can lead to their identification (e.g.. Social Insurance Number)
5. The address, telephone number or e-mail address of the individual
6. An individual's blood type or fingerprints
7. An individual's personal or political opinions
8. An individual's income
9. Correspondence sent to the Christian Senior Citizens Home that is of a private or confidential nature, and any replies that would reveal contents of the original correspondence.
10. The individual's name if it appears with other confidential information (e.g.. rental arrears reports)

With regard to applicants and tenants it 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.

With regard to staff, personal information includes information on hiring, terminating, disciplining, salary negotiations, tenant complaints and problems between staff members.

Collection of Information

- Personal information may only be collected by the non-profit for purposes relating to the performance of its duties under the Social Housing Reform Act or the regulations, or as otherwise authorized by law.
- Staff must not seek out personal information about tenants or applicants unless it is relevant to their work.
- Staff collecting personal information shall ensure that the person whose information is being collected is given written notice of:
 - a. the purpose or purposes of the collection;
 - b. the fact that the information may be shared as necessary for the purpose of making decisions or verifying eligibility for assistance under the Act, or as authorized by an agreement under section 163 or 164 of the Act; and
 - c. the name, title, business address and business telephone number of a person who can answer questions and respond to complaints about the collection, use or disclosure of the information.
- Prior to conducting any credit, landlord or employer checks, staff must obtain a signed consent form from the applicant or tenant. The consent may be part of the application form or annual declaration of income form.

Protection of Information

- The day-to-day administration of applicant, tenant and employee files (including information on databases) must include guarding against unauthorized access.
- Applicant/tenant information must be stored in a locked filing cabinet. Secure storage facilities must be provided for archived applicant/tenant/employee information.
- Only staff and members of the Board, where appropriate, should have access to records in order to fulfill their duties.
- Databases containing files with personal information must be safeguarded from unauthorized access. Confidential electronic files must be password protected so as to limit access to those who need to know.

The use of screen-savers can help protect confidentiality in open areas. When working on sensitive documents, a screen saver can be activated when needed to "hide" files from view.

- All staff have a responsibility to approach strangers in the office and direct them appropriately so that outsiders do not have unsupervised access to areas where files are kept and used.
- Personal information being disposed of must be shredded.

Release of Information

- No personal information will be released without the written consent of the individual (e.g. bank checks, tenant or personal references). When responding to enquiries, staff should limit information provided to the questioner and confirm only the information already provided by the individual.

Examples of circumstances which require that confidential information be released include:

- a) The Board: When communicating tenant issues to the Board, staff should use non-identifying information as much as possible. For example, arrears report should use codes in place of the actual names of tenants.
- b) Funders and Auditors: The Non-Profit, in order to be in compliance with funding program requirements, must release information to funders and auditors. People doing these jobs have their own professional codes and are required to maintain confidentiality. Staff should facilitate their access to files, including files containing personal information, once they are satisfied that the person concerned is legitimately seeking access.
- c) Access Centres: As part of its responsibilities to the Co-ordinated Access System, the Non-Profit will provide the Access System with information about tenants who have left in arrears. This information will be used by the Co-ordinated Access System as part of their screening process for applicants for non-profit housing.
- d) Researchers: Occasionally, the Non-Profit may be asked to assist a researcher who may be from an academic institution or who may be independent.
Authorization for such people to have access to files will depend on their credentials and the nature of their research. The Board of Directors must approve all such requests for personal information.
- e) Law enforcement: While the Non-Profit has a responsibility to respect and protect the rights of applicants and tenants to privacy, this responsibility must be balanced with an obligation to the broader community. Law enforcement agencies requesting personal information about applicants or tenants will be required to provide a written request or "warrant" before it will be released.

Confidential information may be released to the police under certain circumstances:

- i. In the context of reporting criminal activity, staff with personal knowledge should report theft or damage to Non-Profit property to the police and provide full details including personal information, if applicable.
 - ii. With respect to crimes against persons, witnesses are obligated to report and provide appropriate information to the police so that charges can be laid. Domestic violence is a criminal offence and should be reported to the police.
 - iii. Suspected criminal activity - if there is good reason to believe that there is a drug problem in the building, this should be reported to the police.
 - iv. Victims of crimes are responsible for reporting the crime directly to the police. However, if the victim is a child or a person with a disability that renders them incapable of making the decision to report, the legal responsibility lies with the Non-Profit to report the crime to the Police or Children's Aid Society, if it has relevant information.
- f) Protecting Health and/or Well-being: Personal information will be provided to outside agencies, individuals and institutions when it can be clearly identified as contributing to the applicant or tenant's benefit, for example, information about an individual's medical condition to fire department personnel. Where staff have good reasons to believe that an individual is unable to make a rational decision to consent to the disclosure of information, it may be appropriate to contact a community service agency or a relative to request assistance. For example:
- i. Use of an emergency contact provided by a tenant and held on file, i.e., contacting medical support services when a tenant is unable to function and maintain his/her tenancy.
 - ii. Personal information may be provided to Service Manager staff in order to meet the Non-Profit's obligation to ensure that RGI rents are determined correctly and that income information provided by tenants is accurate.
 - iii. In the case of suspected child abuse, information will be provided to the Children's Aid Society. (This duty to report is required under the Child and Family Services Act, Section 72.)

BREACH OF CONFIDENTIALITY

It is a breach of confidentiality to:

1. Discuss any confidential information within or outside the organization where it may be heard by individuals who are not authorized to have access to that information.
2. Provide confidential information or records to unauthorized individuals.

3. Leave confidential information in written form or displayed on a computer terminal in a location where it may be viewed by unauthorized individuals. A breach of confidentiality may be grounds for a board member to be removed from their position as a director of the corporation. A board member who breaches confidentiality may not be covered by the Non-Profit's insurance if he or she is sued for libel.

A breach of confidentiality may be grounds for staff to be disciplined or terminated.

CONFIDENTIALITY AGREEMENT

I understand that in the course of conducting my responsibilities as a staff person or a director of the Christian Senior Citizens Home, I may have access to personal information of applicants, tenants and employees of the corporation. I understand that there are legal restrictions on how this information may be collected, used, stored and disposed of and that privacy of personal information must be respected.

I hereby agree to abide by the Christian Senior Citizens Home's policy regarding confidentiality attached to this agreement and by the restrictions placed on this information by the Social Housing Reform Act and any other statute which is now or may later be in force.

Dated this _____ day of _____, 20__

SIGNATURE
