

Family and Children's Services of the Waterloo Region

Notice of Information Practices

Ontario has a law that protects your personal information relating to services that you receive from us. We are required to follow the privacy rules under the *Child, Youth and Family Services Act, 2017*. We are required to keep your personal information safe and secure. You have the right to know how we may use and give out your service information, and how you can get access to it.

We are committed to promoting privacy and protecting the confidentiality of the personal information we hold about you and the services you have received.

CAS MANDATE

Children's Aid Societies ("CASs") are mandated to provide child protection services in Ontario. CASs work to promote the best interests, protection, and well-being of children. Every CAS in the province is responsible for a specific jurisdiction and at times CASs work together to fulfill their mandate.

PERSONAL INFORMATION WE COLLECT AND HOW WE USE IT AND DISCLOSE IT

Our records may include personal information collected to provide services to you including for example: your date of birth, contact information, records of meetings with you and/or your family, the services you received, the programs you attended, details of your physical and mental health, medical, psychological or psychiatric reports, school information, financial information, employment history, allegations or findings of child maltreatment, court documentation, police interventions, criminal history, your views or opinions, the views and opinions of others about you and information about your race, ancestry, place of origin, colour, ethnic origin, citizenship, family diversity, disability, creed, religion, age, sex, sexual orientation, gender identity, gender expression, cultural or linguistic needs, marital or family status.

We collect, use, and disclose (meaning share) personal information to:

- investigate allegations that children may be in need of protection and, where necessary, protect children;
- assess, reduce or eliminate a risk of harm to a child or serious harm to any person or group of people;
- provide services to children and their families for protecting children or for the prevention of circumstances requiring the protection of children;
- provide care for children and supervise children under our supervision;
- assess and approve homes for children who cannot remain with their families;
- place children for adoption;
- plan and manage services;
- aid a law enforcement agency investigation;

- receive payment or process, monitor, verify or reimburse claims for payment;
- detect, monitor or prevent fraud or any unauthorized receipt of services or benefits;
- provide appointment reminders;
- seek consent (or consent of a substitute decision-maker) where appropriate;
- conduct risk management, error management and quality improvement activities;
- conduct service recipient surveying;
- dispose of identifiable information;
- respond to or initiate legal proceedings;
- conduct research (subject to certain rules);
- compile statistics;
- report to the government as required by law;
- allow for the analysis, administration and management of the children's aid system;
- comply with legal and regulatory requirements; and
- fulfill other purposes permitted or required by law.

In child protection cases, we collect information about children who may be at risk of harm or in need of our services. This includes the personal information of the child and important people in the child's life. We collect this information from children, their families or indirectly from members of the community or other service providers.

We also collect personal information about caregivers and those who seek to provide care to children in need, such as foster parents, adoptive parents and members of a child's extended family. We collect most of this information directly from those individuals.

If you are attending any of our office locations, video surveillance is in use to support the safety of individuals and Agency property at Agency facilities as part of the Agency's responsibility as a child welfare organization under the CYFSA.

We may use and share data that does not contain your personal information with the Ministry of Children, Community and Social Services for the purpose of meeting accountability and to improve service and client outcomes.

We may also use and share data that does not contain your personal information for the purpose of research, which would follow research ethics protocols including obtaining your informed explicit consent.

Our collection, use and disclosure (sharing) of personal information is done in accordance with Ontario law.

Other Children's Aid Societies

CASs share information with each other to better protect children. Information collected by one CAS may be provided to other CASs when the other CAS needs to know the information to provide child protection services.

Service Providers

Service Providers are persons or organizations who assist us to deliver services to children and families. We share only the information that is necessary for service providers to deliver and administer these services.

Other Third Parties

Sometimes we receive requests for information from third parties such as the police, government agencies and people involved in court cases with our clients. We only give personal information about service recipients to third parties if:

- we have the individual's consent;
- there is a court order, search warrant, or urgent safety concern requiring disclosure; or
- we are legally permitted or required to provide the information.

If you have questions about this, please ask us.

YOUR CHOICES AND WHO DECIDES

We do not need consent to fulfill our primary role as a child protection agency, to protect children, where we are required by law to collect, use and disclose personal information. For example, we do not need your permission to meet our child protection obligations or to share your personal information to keep you or someone else safe (it's called to assess, eliminate or reduce a risk of serious harm).

There are other situations where you have the right to make your own information privacy decisions. When we require and ask for your permission, you may choose to say no. If you say yes, you may change your mind at any time. Once you say no, we will no longer share your information unless you say so. Your choice to say no may be subject to some limits.

When there is a right to consent, you may make your own decisions if you are "capable". You may be capable of making some information privacy decisions and not others. If you are not capable, you will have a substitute decision-maker who will make your information decisions for you. Who can act as a substitute decision-maker and what they have to do is also set out in law.

For children, there is no legal age when you become able to make your own decisions about your personal information. If you are capable, you can make your own decisions. However, if you are under the age of 16, there are some additional rules to know.

- If you are not capable, your parent(s) or other official guardian will make decisions for you as your substitute decision-maker.
- If you are capable, you will make your own decisions.

- If you are capable, your parent(s) or guardian will also be allowed to make some decisions about your personal information service records. But they will not be able to make decisions about any records about treatment or counseling to which you alone consented.

We encourage you to ask your case worker questions to find out more about privacy and your family.

HOW WE RETAIN AND DISPOSE OF INFORMATION

CPIN is a provincial information management system used by CASs. CPIN is the primary tool for storing information needed to deliver CAS services.

CPIN contains information about children and their families who receive child protection services. It also contains information about caregivers and those who seek to provide care to children in need, such as foster parents, adoptive parents, and members of a child's extended family.

In CPIN, information is stored in person, case and provider records that are designed to hold the unique information for each service. Person, case and provider records are linked when appropriate to create an overall picture of a client's or caregiver's child protection services.

We also have some older paper and electronic case files that predate CPIN.

We keep the information collected because it might be necessary for future cases. We also keep the information because former service recipients may ask to see their records.

When we dispose of personal information, we do so securely.

SAFEGUARDS

Your personal information must be kept private and secure. Everyone here is bound by confidentiality. We have to protect your information from loss or theft and make sure no one looks at it or does something with your information if they are not involved in providing services to you or allowed as part of their job. If there is a privacy breach, we will tell you (and we are required by law to tell you).

This applies equally to what we enter into CPIN and other electronic information systems, as well as paper or electronic copies of records, reports, financial records, administrative notes, voice messages, text messages, and emails (including on laptops and cell phones) and any other ways personal information can be recorded.

ACCESS AND CORRECTION

With limited exceptions, you have the right to access the personal information we hold about you that relates to a service provided to you.

If you need a copy of your service records, please contact us in writing at:

Email: RD@facswaterloo.org

Address: FACS Waterloo, Records Department, 200 Ardelt Ave., Kitchener, ON N2C 2L9

In rare situations, you may be denied access to some or all of your personal information about services (with any such denial being in accordance with the law).

We try to keep your personal information accurate and up-to-date. Please let us know if information we have is incorrect, and we will make the correction. If we are unable to make the correction, we will ask you to write a statement of disagreement and we will attach that statement to your service record.

FOR MORE INFORMATION OR COMPLAINTS

We encourage you to contact your case worker with any questions or concerns you might have about our information practices. You can also reach our Privacy Lead by email, phone or in writing:

Email: privacy@facswaterloo.org

Phone: 519.576.0540 x 3575

Mail: FACS Waterloo, Privacy Lead, 200 Ardelt Ave., Kitchener, ON N2C 2L9

If your privacy questions have not been answered or issues not resolved to your satisfaction, you may wish to make a formal privacy complaint to us. For information on making a complaint, please see <https://www.facswaterloo.org/report/concerns-about-our-service>.

If, after contacting us, you feel that your concerns have not been addressed to your satisfaction, you have the right to complain to the Information and Privacy Commissioner of Ontario. The Information and Privacy Commissioner of Ontario is responsible for making sure that privacy laws are followed in Ontario.

The Commissioner can be reached at:

Information and Privacy Commissioner of Ontario

2 Bloor Street East, Suite 1400

Toronto, Ontario M4W 1A8

Phone: 416-326-3333 or 1-800-387-0073

TDD/TTY: 416-325-7539

Fax: 1-416-325-9195

E-mail: info@ipc.on.ca

Website: www.ipc.on.ca