

## Notice of Information Practices

The Highland Shores Children's Aid Society ('the Society') is required to follow the privacy rules under the *Child Youth and Family Services Act, 2017* (CYFSA). This piece of Ontario law requires us to keep your Personal Information safe and secure, as well as gives you increased access and control to your Personal Information that the Society holds. You have the right to know what information the Society collects about you and why, as well as how the Society may use and give out your information. You also have a right to know how you can get access to and correct pieces of your information that may be incomplete or inaccurate.

Highland Shores is committed to providing services to you in a transparent, respectful way, while promoting privacy and protecting the confidentiality of your Personal Information.

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

Our records include Personal Information collected to provide services to you and/or your child(ren). The Personal Information the Society holds about you may include, 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/assessments, school information, financial information, employment history, information regarding a child protection investigation, including investigations outcomes, court documentation, police interventions, criminal history, your views or opinions, the views and opinions of others about you, and information about you or your child's 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.

The Society collects, uses, and discloses (meaning shares) Personal Information in order to:

- investigate allegations that a child/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 other 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;
- 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;

- service recipient surveying;
- respond to or initiating 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 their caregivers. 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.

Our collection, use, and disclosure (sharing) of Personal Information is done in accordance with Ontario law, specifically Part X of the *Child, Youth, and Family Services Act, 2017*.

### **Other Children's Aid Societies (CASs)**

Children's Aid Societies may share information with each other in order to ensure the safety of children. Information collected regarding yourself or your child(ren) by one CAS may be provided to another CAS when the other CAS needs to review the information in order to assess, reduce, or eliminate harm to a child.

### **Service Providers and Other Third Parties**

Service Providers are other persons or organizations who assist the Society in delivering services to children and families. The Society is only permitted to share information that is necessary for service providers to deliver and administer their services.

Sometimes the Society receives requests for information from other service providers involved with your family or third party organizations, such as the police, social service agencies, lawyers, doctors, or other professionals.

The Society will 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 other legitimate urgent demand; or
- we are legally permitted or required to provide the information.

If you have questions about the Society's authority to share your information with service providers/other organizations, please ask your worker or connect with the Society's Privacy Lead (information is below).

## **YOUR CHOICES AND WHO DECIDES**

The Society does not need consent to fulfill our primary function as a child protection agency which is to assess, reduce, and eliminate harm or a risk of harm to children. This means that the Society does not need your consent to collect, use, and share your information when we are required by law to do so in order to keep a child safe. For example, we do not need your consent to collect your Personal Information from someone calling the Society to report child protection allegations. This means that the Society can collect and use your Personal Information without your permission in order to determine whether a child is at risk of harm.

There are other circumstances where you have the right to make your own privacy decisions and where the Society is required to seek your permission. When we require and ask for your permission to collect, use, or share your information, you may choose to say no. If you say yes, you may change your mind at any time, or you may place limits on what information is shared and who it is shared with. Once you say no to the Society collecting, using, or disclosing your information, we will honour your direction unless we are required by law. Your choice to say no may be subject to some limits, including when we are required to collect or share the information to keep a child safe from harm.

When you have a right to consent, you may make your own decisions about your information if you are determined "capable". Every individual, including children and youth, is presumed to be capable of making decisions about their privacy, unless the Society has reasonable grounds to believe that they are not capable. For example, babies and infants are never capable of making their own privacy decisions. As children age, they become more capable of making certain decisions related to their privacy.

To be capable means that the individual can understand the information that is relevant to providing consent and can appreciate the consequences of either giving or withholding their consent. You may be capable of making some information decisions and not others. If the Society determines that you are not capable of making a decision regarding your privacy and information, we must let you know the reasons why we have determined this and provide you with information on how to challenge this decision. You have a right to appeal this decision through the Ontario Consent and Capacity Board (<http://www.ccboard.on.ca/scripts/english/index.asp>).

If the Society determines you incapable of making a decision regarding your privacy and information, you will have a substitute decision-maker appointed who will make your information decisions for you. Who can act as a substitute decision-maker and what they have the right 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 custodial 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 custodial parent(s) or guardian will also be allowed to make some decisions about your Personal Information related to services the Society has provided to you. Your custodial parent(s) or guardian will not be able to make decisions about any records related to treatment or counseling that you consented to on your own, or information that you have specifically told the Society not to share with them.

We encourage you to ask your Society Worker questions to find out more about privacy and your family.

## **HOW WE RETAIN AND DISPOSE OF INFORMATION**

The Highland Shores Children's Aid Society uses a provincial database known as the Child Protection Information Network (CPIN). The intent of this database is to ensure the continuity of information between Children's Aid Societies, in order to ensure the safety of children across Ontario. Personal Information that the Society collects from you is stored securely in CPIN and may only be accessed by individuals who need to view the information in order to provide you with 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 child's or caregiver's child protection services.

Our Society may also possess your Personal Information in the form of older paper files and/or electronic case files that predate CPIN. We are currently working towards getting all these records in CPIN. Please note, this in no way affects your ability to access these records, if you request them.

The Society is required by law to keep this information because it may be necessary for future cases in order to assess risk of harm to a child. We also keep the information because former service recipients may ask to see their records.

## **SAFEGUARDS**

Your Personal Information that the Society collects, uses, and discloses must be kept private and secure. Everyone who works for the Society, including any volunteers or casual staff, are bound by confidentiality. As employees or agents of the Society, we are required 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. If the Society ever becomes aware that your Personal Information has been lost, stolen, collected, used, or disclosed without authority, we are required by law to notify you at the first reasonable opportunity. This applies equally to all your Personal Information in CPIN as

well as any Personal Information that is contained in paper files, financial records, voice messages, videos, emails, and any other format that your Personal Information can be recorded.

## **ACCESS AND CORRECTION**

With limited exceptions, you have the right to access the Personal Information that we hold about you that relates to a service provided to you. We are required to respond to you within 30 days, with the ability to request an extension of an additional 90 days under certain circumstances.

If you require a copy of your service records, please forward your request in writing to the Society's Records Department at:

16 MacSteven Drive

Picton, ON K0K 2T0

**Phone:** 1-800-267-0570 x6600

**Fax:** 613-476-2316

**Email:** [InformationRequest@HighlandShoresCAS.com](mailto:InformationRequest@HighlandShoresCAS.com)

In rare situations, you may be denied access to some or all of your Personal Information about services you have received. If the Society denies you access to any piece of your information, we must do so in accordance with the law and let you know, in plain terms, why you have been denied access.

The Society tries to keep your Personal Information as accurate and up-to-date as possible. Once you have received a copy of your service records, you have a right to request a correction to any piece of that information that you feel is not complete or is not correct. The Society is not permitted to correct pieces of your record that contain a professional opinion or observation, or any piece of the record that the Society did not create (ie. doctors reports/assessments). Please let us know if you have any concerns with your Personal Information in the record and we will work with you to determine whether the information can be corrected. If the Society determines that the information cannot be corrected, you have a right to write a Statement of Disagreement summarizing your concerns with the information. This Statement of Disagreement will then be attached to all of your relevant records in CPIN to ensure your perspective is documented.

## **FOR MORE INFORMATION OR COMPLAINTS**

We encourage you to contact your Society 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 at:

Angie Whalen

16 MacSteven Drive

Picton, ON K0K 2T0

**Phone:** 1-800-267-0570 x6253

**Fax:** 613-476-2316

**Email:** [angie.whalen@highlandshorescas.com](mailto:angie.whalen@highlandshorescas.com)

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 by contacting our Privacy lead, above.

If, at any point, you feel that your privacy 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](mailto:info@ipc.on.ca)

**Website:** [www.ipc.on.ca](http://www.ipc.on.ca)