

### **Purpose**

Fernie Youth is committed to protecting the privacy and security of personal and confidential information about our youth clients, employees and volunteers in accordance with the *Freedom of Information and Protection of Privacy Act*, the *Youth Criminal Justice Act*, and the *Child, Youth and Family Services Act*, and the *Model Code for the Protection of Personal Information* of the Canadian Standards Association. This policy governs the collection, use and disclosure of personal information in our custody.

### **Definition of Personal Information**

For the purposes of this policy, Personal Information (PI) is identifying information about an individual that is in verbal, written or electronic form. Information is “identifying” if it is reasonable to assume that someone could deduce a person’s identity based on key pieces of information.

The *Freedom of Information and Protection of Privacy Act* (Sec. 2) defines Personal Information as “recorded information about an identifiable individual, including:

- (a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) Any identifying number, symbol or other particular assigned to the individual,
- (d) The address, telephone number, fingerprints or blood type of the individual,
- (e) The personal opinions or views of the individual except where they relate to another individual,
- (f) Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) The views or opinions of another individual about the individual, and
- (h) The individual’s name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual;”

## 1. Collection, Use and Disclosure

- (1) Before we collect personal information from you, we will explain the purpose for its collection.
- (2) We may *collect* personal information indirectly without your knowledge or consent:
  - If it is clearly in your interests and consent is not available in a timely way;
  - If the collection happens as part of the Client intake process and is consistent with our contractual and legislative agreements; and
  - If the collection is permitted by law.
- (3) We may *use* personal information without your knowledge or consent:
  - For emergencies;
  - If the use is clearly in your interest and consent is not available in a timely way;
  - For the development of treatment plans, plans of care, or other support services for your benefit; and
  - Collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.
- (4) We may *disclose* personal information without your knowledge or consent only:
  - For the purpose for which it was obtained or compiled or for a consistent purpose;
  - Where disclosure is made to an officer, employee, consultant or agent of Fernie Youth who needs the record in the performance of their duties and where disclosure is necessary and proper in the discharge of the institution's functions
  - To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
  - In the event of a transfer to another provincially mandated residential program;
  - To a government institution, organization, or program with identified lawful authority;
  - In an emergency threatening your life, health, or security;

## 2. Consent

- (1) You will be deemed to consent to the collection, use or disclosure of the personal information if, when the information was given, the purpose would be obvious to a reasonable person.
- (2) If you are under the age of 18, written or verbal consent will be received from your parent or guardian.
- (3) If you have voluntarily provided information, you have consented to the collection, use and disclosure of your personally identifiable information as described in the Privacy Policy. Fernie Youth will not use personal information for any purpose other than that for which you consented or as authorized by law.



- (4) Should Fernie Youth require personal information for a new purpose, we will contact you to seek consent for that new use.
- (5) Information that has been collected prior to the implementation of this Privacy Policy will be used only in accordance with the purposes outlined in this Privacy Policy.

### **3. Retention and Disposal of Personal Information**

- (1) We will only retain personal information as long as necessary to satisfy the purpose for which it was obtained,
- (2) Documents will be retained and archived in compliance with government regulation.
- (3) We will destroy documents containing personal information once the information has served the purpose for which it was obtained, unless it must be retained for legal purposes.

### **4. Accuracy of Personal Information**

- (1) When we collect, use or disclose your personal information, we will make reasonable efforts to ensure that it is accurate and factual to the extent necessary to fulfill the purposes for which it was obtained.

### **5. Protection of Personal Information**

- (1) We recognize the importance of protecting your personal information and will use appropriate security safeguards to provide the necessary protection. This includes:
  - Physical measures such as locked filing cabinets, alarm systems and restricting access to areas in which personal information is stored;
  - Technological resources such as firewalls, encryption software and passwords;
  - Organizational controls including security clearance measures, staff training, the use of confidentiality agreements and limiting access to only those who need the information;

### **6. Maintaining Awareness of Our Practices**

- (1) We will inform all employees, contractors and volunteers about our policies and practices for the management of personal information.
- (2) Our privacy policy and other relevant practices are available by contacting the Privacy Officer, Karen Haw.

### **7. Access to Personal Information**

- (1) Where permitted, you may request access to your personal information or want to know how it is or has been used or disclosed



- (2) We must refuse access to your personal information if it is contrary to government regulations, or contractual agreements held with a government body.
- (3) We may refuse access to personal information if the information falls under one of the following circumstances:
  - It constitutes confidential commercial information, which cannot be removed
  - It was generated in the course of a formal dispute resolution process
  - Laws do not permit access.
- (4) Fernie Youth reserves the right to charge a fee for access for the cost of searching for and preparing the records for disclosure.

## **8. Complaint Process**

- (1) Any questions or comments about Fernie Youth's handling of personal information should be directed to the Privacy Officer, Karen Haw.
- (2) If you are dissatisfied with the manner in which we have handled your personal information, you may contact the Privacy Officer in writing to outline the reasons for your concern.
  - Email at: [khaw@ferniefyouth.ca](mailto:khaw@ferniefyouth.ca)
  - Telephone at: (416) 284-3711
  - Mail at:  
P.O. Box 273  
Pickering ON L1V 2R4
- (3) We will respond and may investigate complaints made in relation to this policy.
- (4) You may also make a complaint to the Information and Privacy Commissioner of Ontario:
  - Information and Privacy Commissioner of Ontario  
2 Bloor Street East  
Suite 1400  
Toronto, ON M4W 1A8
  - Telephone: 416-326-3333 or 1-800-387-0073
  - Email: [info@ipc.on.ca](mailto:info@ipc.on.ca)
  - Website: [www.ipc.on.ca](http://www.ipc.on.ca)



# Security Policy

## Purpose

Fernie Youth is committed to protecting the privacy and security of the personal and confidential information of its clients, employees and volunteers in accordance with *Freedom of Information and Protection of Privacy Act* and the *Model Code for the Protection of Personal Information* of the Canadian Standards Association. This policy is to ensure that personal information is safeguarded, and risk of damage to Fernie Youth and its Clients and stakeholders is minimized.

## Policy

(1) The goal of this policy is to protect Fernie Youth's information assets (i.e. data stored on computers, transmitted over networks, printed or written on paper, sent by fax, stored on external mobile devices, amongst others) against all internal, external, deliberate, or accidental threats.

(2) This policy ensures that:

- Information and information assets will be protected against any unauthorized access, disclosure, or disposal;
- Confidentiality of information will be assured;
- Integrity of information will be maintained;
- Availability of information for Fernie Youth business processes will be maintained;
- Legislative and regulatory requirements (including the *Youth Criminal Justice Act*, the *Freedom of Information and Protection of Privacy Act*, and the *Child, Youth and Family Services Act*) will be met;
- Information security training will be available for all staff; and
- All actual or suspected information security incidents and breaches will be reported to the Privacy Officer (and/or other appropriate oversight individuals or bodies) and will be thoroughly investigated. Appropriate procedures will be developed and implemented to support this policy. Fernie Youth's Privacy Officer is responsible for maintaining and providing support and advice on this policy.

## Questions

Any questions or comments about Fernie Youth's information security policy and supporting procedures should be directed to the Privacy Officer, Karen Haw (416-284-3711, [khaw@fernienyouth.ca](mailto:khaw@fernienyouth.ca)).

